



भारत का राजपत्र The Gazette of India

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No. 4]

NEW DELHI, SATURDAY, JANUARY 25, 1997/MAGHA 5, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि और न्याय मंत्रालय
(विधि कार्य विभाग)
(न्यायिक अनुभाग)
सूचना

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

(Judicial Section)

NOTICE

नई दिल्ली, 31 दिसम्बर, 1996

New Delhi, th. 31st December, 1996

का.आ. 133 नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रवीण गर्ग, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इन बातों के लिए दिया है कि उसे राष्ट्रीय राजधानी दिल्ली क्षेत्र में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

S.O. 133.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Parveen Garg, Advocate for appointment as a Notary to practise in N.C.T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[सं. 5(229)/96-न्यायिक]

[No. F. 5(229)/96-Judl.]

एन.सी. जैन सक्षम प्राधिकारी एवं अपर विधि
सलाहकार

N. C. JAIN, Competent Authority & Addl.
Legal Adviser.

सूचना

नई दिल्ली, 31 दिसम्बर, 1996

का.आ. 134 नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री किशन कुमार कौल, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तीस हजारी न्यायालय, राष्ट्रीय राजधानी दिल्ली क्षेत्र में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(230)/96-न्यायिक]

(एन.सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 31st December, 1996

S.O. 134.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Kishan Kumar Koul, Advocate for appointment as Notary to practise in Tis Hazari Courts, N.C.T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(230)/96-Judl.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

वित्त मंत्रालय

(राजस्व विभाग)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 14 जनवरी, 1997

का.आ.-135-सर्वसाधारण की सूचना यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा मैसर्स बोंब हाउसिंग फार्मिनेस लि., 33-ए, अशोक मार्ग, जयपुर-322001 को आयकर अधिनियम, 1961 की धारा 38(1)(viii) के प्रयोजनार्थ कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिये एक कम्पनी के रूप में अनुमोदित किया गया है।

2. यह अनुमोदन इस शर्त पर किया गया है कि कम्पनी आयकर अधिनियम, 1961 की धारा 36(1)(viii) के उपबन्धों के अनुसार होगा और उनका अनुपालन करेगी;

[अधिसूचना सं. फा.सं. 204/33/95-आ.क.नि.-II]

निशि सिंह, उप सचिव

MINISTRY OF FINANCE

(Department of Revenue)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 14th January, 1997

S.O. 135.—It is notified for general information that M/s. BOB Housing Finance Ltd., 38-A, Ashok Marg, Jaipur-302001 have been approved by the Central Government as Company for the purposes of section 36(1)(viii) of the Income Tax Act, 1961, for the assessment years 1996-97 to 1998-99.

The approval is subject to the condition that the company will conform to and comply with the provisions of section 36(1)(viii) of the Income-tax Act, 1961.

[Notification No. 10260/P. F. 204/95-ITA-II]
NISHI SINGH, Dy. Secy.

नई दिल्ली, 16 जनवरी, 1997

का० आ० 136.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में एतद्वारा केन्द्रीय उत्पाद शुल्क एवं सीमाशुल्क के निम्नलिखित कार्यालयों को, जिनके कर्मचारीबृन्द ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

आयुक्त केन्द्रीय उत्पाद शुल्क एवं सीमाशुल्क का कार्यालय, चण्डीगढ़ के जालन्धर और अमृतसर स्थित केन्द्रीय उत्पाद शुल्क मंडल कार्यालय।

[फा० सं० ई 11017/8/96-प्रशा० IV (क)]

आत्मा राम, अवसर सचिव

New Delhi, the 16th January, 1997

S.O. 136.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Central Board of Excise and Customs, the staff whereof have acquired working knowledge of Hindi :—

Divisional Offices at Jalandhar and Amritsar of Office of the Commissioner, Central Excise and Customs, Chandigarh.

[F. No. E-11017/8/96-Ad. IV(A)]
ATMA RAM, Under Secy.

(Department of Economic Affairs)

(Banking Division)

CORRIGENDUM

New Delhi, the 30th December, 1996

S.O. 137.—In the notification of the Department of Economic Affairs (Banking Division), number :—

- (i) S.O. 3113, dated the 15th November, 1995, published at pages 4213 and 4214 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 2nd December, 1995, at page 4213 in the left hand column, in line 8, for "(1) Short title and commencement" read "I Short title and commencement"; and
- (ii) S. O. 1208, dated the 4th March, 1996 published in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 20th April, 1996, omit line 12.

[F. No. 10(38)/92-IF-1 (Pt.)]

V. P. BHARDWAJ, Under Secy.

नई दिल्ली, 13 जनवरी, 1997

का.आ. 138—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री ए.क्यू. सिद्दीकी, मुख्य महाप्रबंधक, औद्योगिक नियति एवं ऋण विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, मुम्बई को श्री ए. चन्द्रमौलिस्वरन के स्थान पर, सेन्ट्रल बैंक आफ इंडिया का निदेशक नामित करती है।

[एफ.सं. 9/18/95-बी.ओ.-I]

के.के. मंगल, अवसर सचिव

New Delhi, the 13th January, 1997

S.O. 138.—In exercise of the powers conferred by clause (c) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri A. Q. Siddiqui, Chief

General Manager, Industrial Export and Credit Department, Reserve Bank of India, Central Office, Mumbai, as a Director of Central Bank of India vice Shri A. Chandramouliswaran.

[F. No. 9/18/95-B.O.I.]

K. K. MANGAL, Under Secy.

वणिज्य मंत्रालय

विदेश व्यापार महानिदेशालय

नई दिल्ली, 30 दिसम्बर, 1996

का० आ० 139.—मैसर्स जे सी टी लिमिटेड, नई दिल्ली को संलग्न सूची के अनुसार नये + पुराने पूंजीगत सामान के आयात हेतु रु० 41,32,00,701/- (रु० इकतालीस करोड़ बत्तीस लाख सात सौ एक केवल) मूल्य का आयात लाइसेंस सं० पी/सी जी/2134306 दिनांक 25-5-95 जारी किया गया था।

2. फर्म ने इस आधार पर कि आयात लाइसेंस गुम अथवा अस्थानस्थ हो गया है उपर्युक्त लाइसेंस की डुप्लीकेट सीमाशुल्क प्रयोजन प्रति और विनिमय नियन्त्रण प्रति जारी करने हेतु आवेदन किया है। इसके अलावा यह कहा गया है कि लाइसेंस लुप्तवाना सीमाशुल्क प्राधिकरण के पास पंजीकृत था और लाइसेंस के 39,62,71,400/- रुपये मूल्य का उपयोग कर लिया गया है और उपयोग में न लाया गया मूल्य 1,69,29,301/- रु० हैं।

3. अपने तर्कों के समर्थन में, लाइसेंसधारक ने नोटरी पब्लिक, दिल्ली के समक्ष बाकायदा शपथ लेकर स्टाम्प पेपर पर हलफनामा दायर किया है। तदनुसार, मैं सन्तुष्ट हूँ कि मूल आयात लाइसेंस संख्या पी/सी जी/2134306 दिनांक, 25-5-95 फर्म द्वारा गुम अथवा अस्थानस्थ हो गया है। यथा संशोधित आयात (नियंत्रण), 1955 दिनांक 7-12-1955 की उप-धारा 9(ग) के तहत प्रदत्त शक्तियों का इस्तेमाल करते हुए मैसर्स जे सी टी लि० को जारी किया गया उक्त मूल लाइसेंस एतद्वारा रद्द किया जाता है।

4. पार्टी को उक्त लाइसेंस को डुप्लीकेट आयात लाइसेंस की प्रति अलग से जारी की जा रही है।

[फा० सं० 18/1397/ए एम 95/ई पी सी जी-II/351]

के० चन्द्रामती, उप महानिदेशक,
विदेश व्यापार

MINISTRY OF COMMERCE

DIRECTORATE GENERAL OF FOREIGN TRADE

New Delhi, the 30th December, 1996

S.O. —M/s. JCT Limited, New Delhi were granted an Import Licence No. P/CG/2134306 dt. 25-5-95 for Rs. 41,32,00,701 (Rupees Forty one crores thirty two lakhs seven Hundred and

one only) for import of New+Second Hand capital goods (list enclosed).

2. The firm has applied issue of duplicate Customs Purpose copy and Exchange Control copy of the above mentioned licence on the ground that the Import licence has been lost or misplaced. It has further been stated that the licence was registered with Ludhiana, Customs and the value of the licence has been utilised for Rs. 39,62,71,400 and unutilised value of Rs. 1,69,29,301.

3. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public, New Delhi. I am accordingly satisfied that the original import licence No. P/CG/2134306 dated 25-5-95 has been lost or misplaced by the firm. In exercise of the powers conferred under Sub-Clause 9(cc) of the Import (Control) order, 1955 dated 7-12-1955, as amended the said original import licence issued to M/s. JCT Limited, New Delhi is hereby cancelled.

4. A duplicate import licence of the said licence is being issued to the party separately.

[F. No. 18/1397/AM95/EPCG-II/351]

K. CHANDRAMATHI, Dy. Director
General of Foreign Trade

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

(यूनेस्को यूनिट)

नई दिल्ली, 2 जनवरी, 1997

का.आ. 140.—डा. कर्ण सिंह द्वारा अरोविले प्रतिष्ठान के शासी निकाय के अध्यक्ष पद से दिये गये त्यागपत्र के स्वीकृत होने के परिणामस्वरूप तथा अरोविले प्रतिष्ठान अधिनियम, 1988 (1988 का 54) के खण्ड 11 के उपखण्ड 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार डा. एम.एस. स्वामीनाथन, जो इस समय शासी निकाय के सदस्य हैं, को दिनांक 12 नवम्बर, 1996 से अरोविले प्रतिष्ठान के शासी निकाय का अध्यक्ष नियुक्त करते हैं।

2. अरोविले प्रतिष्ठान अधिनियम के खण्ड 12 के उप खण्ड 3 के साथ पढ़े जाने वाले खण्ड 11 के उप खण्ड (1) की धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्रीमती शान्तादेवी एस. मालवाड़, प्रशान्त, मालवाड़ मार्ग, कल्याण नगर, धारवाड़ कर्नाटक, को तुरन्त प्रभाव से अरोविले प्रतिष्ठान के शासी निकाय का सदस्य नियुक्त किया जाता है। यह नियुक्ति उपर्युक्त पैरा 1 में उल्लिखित प्रबंध के कारण हुए रिक्त स्थान के लिये होगी।

[सं. एफ. 27-30/94-यू.यू.]

के.एस. शर्मा, अवर सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

(UNESCO Unit)

New Delhi, the 2nd January, 1997

S.O. 140.—Consequent upon the acceptance of resignation tendered by Dr. Karan Singh from the Chairmanship of the Governing Board of Auroville Foundation and in exercise of powers conferred by Sub-section 2 of Section 11 of the Auroville Foundation Act, 1988 (54 of 1988), the Central Government, hereby appoints Dr. M. S. Swaminathan, presently Member of the Governing Board, as Chairman of the Governing Board of Auroville Foundation w.e.f. 12th November, 1996.

2. In exercise of powers conferred by clause (i) of sub section (1) of Section 11 read with Sub-section 3 of Section 12 of Auroville Foundation Act, Smt. Shantadevi S. Malwad Prashant, Malwad Marg, Kalyan Nagar, Dharwar, Karnataka has been appointed as a member of the Governing Board of Auroville Foundation with immediate effect against the vacancy arising due to the arrangements mentioned in para 1 above.

[No. F. 27-30/94-UU]

K. S. SHARMA, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 7 जनवरी, 1997

का० आ० 141,—केंद्रीय सरकार, भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 13 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की तृतीय अनुसूची के भाग में निम्नलिखित और संशोधन करती है, अर्थात्:—

तृतीय अनुसूची के उक्त भाग में, निम्नलिखित प्रविष्टियां अंत में जोड़ी जायेगी, अर्थात्:—

प्रथम नाम

परिवर्तित नाम

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (पेट्रिक्स लुमुम्बा फ्रेडरिगप
विश्वविद्यालय, मास्को (यू०एस०एस०आर०)

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (फ्रेड मास्को मेडिकल इंस्टीट्यूट),
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (फ्रेडलेलिनगार्ड मेडिकल
इंस्टीट्यूट (यू०एस०एस०आर०)

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (त्रिअमया मेडिकल इंस्टीट्यूट आफ सिम्फेररोपोल)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (विटैबेक मेडिकल इंस्टीट्यूट),
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (कोलोनाद मेडिकल
इंस्टीट्यूट), यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (रोस्टोव मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (स्टारखरोपोल मेडिकल
इंस्टीट्यूट) यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (कार्लनिन मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (कुबान मेडिकल इंस्टीट्यूट),
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (इरकुताक मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (दी सांचोव फ्रेड मास्को, मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (फ्रेड आर्०पी० पावलोव
मेडिकल इंस्टीट्यूट आफ ललिनगार्ड), यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (दी त्रिअमया स्टेट मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(पी०एच०डी०) (दी आर्डर आफ फ्रेडरिगप रोस्टोव स्टेट मेडिकल
इंस्टीट्यूट) यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलीसाफ
(टीबेर स्टेट मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (बोरोसाइलोप्राद मेडिकल
इंस्टीट्यूट यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) डीनेटक मेडिकल इंस्टीट्यूट
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (ओपोरोसि मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (लबोव मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (बिनिनसा मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (मिक्स मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (ओडेसा मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (ताशकंद मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (तेदजीत मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (अलमा-अटा मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (बेथान मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (खरकोव मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (अजर बेजान मेडिकल इंस्टीट्यूट इन बेकन)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (स्टेट मेडिकल इंस्टीट्यूट, कोब)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (दी लागानसक मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (ओडेसा पिरोगोव मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

आयुर्विज्ञान में डाक्टर आफ फिलोसॉफि
(पी०एच०डी०) (सेकेम्ब ताशकंद मेडिकल इंस्टीट्यूट)
यू०एस०एस०आर०

1	2
आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी (पी०एच०डी०) (सेक्रेट मास्को मेडिकल इंस्टीट्यूट) यू०एस०एस०आर० *	आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी (पी०एच०डी०) (सेक्रेट मास्को मेडिकल इंस्टीट्यूट) यू०एस०एस०आर०
आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी (पी०एच०डी०) (मास्को मेडिकल स्टोमेटोलॉजिकल इंस्टीट्यूट) यू०एस०एस०आर० *	
आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी (पी०एच०डी०) (लेनिनग्राड सेनिटरी हाईजिनिक इंस्टीट्यूट) यू०एस०एस०आर० *	
आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी (पी०एच०डी०) (शांगेस्तान मेडिकल इंस्टीट्यूट) यू०एस०एस०आर० *	

*टिप्पण: सुप्रीमअटेस्टेशन कमीशन, मास्को (यू०एस०एस०आर०) द्वारा भारतीय आयुर्विज्ञान परिषद द्वारा प्रायोजित विद्यार्थियों को या भारत में अवस्नातक पाठ्यक्रमों में प्रवेशार्थ न्यूनतम अर्हता मापदंड को पूरा करने वालों और अवस्नातक या स्नातकोत्तर पाठ्यक्रमों के लिए 1989 तक तत्कालीन यू०एस०एस०आर० की संस्थाओं में अध्यावेणित अन्य विद्यार्थियों को प्रदत्त स्नातकोत्तर आयुर्विज्ञान अर्हता, आयुर्विज्ञान में डाक्टर ऑफ फिलॉसॉफी, एक मान्यता प्राप्त आयुर्विज्ञान अर्हता होगी।"

[सं०वी० 11025/34/95-एम०ई० (यू०जी०)]

एस०के० मिश्रा, डेप्ट अफिसरी

पाद-टिप्पण:—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की तीसरी अनुसूची का भाग II भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 के भाग के रूप में भारत के राजपत्र (असाधारण) के भाग II, धारा 1 में दिनांक 31 दिसम्बर, 1956 के अंक संख्या 83 के तहत प्रकाशित किया गया था।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 7th January, 1997

S O.....141..In exercise of the powers conferred by sub-section (4) of section 13 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government after consulting the Medical Council of India hereby makes the following further amendments in the Part II of the Third Schedule to the said Act, namely :—

In the said Part II of the Third Schedule, the following entries shall be added at the end, namely :—

First Name	Change Name
Doctor of Philosophy (Ph.D.) in Medical Sciences (Patrics Lumumba Friendship University, Moscow, U.S.S.R.*	
Doctor of Philosophy (Ph. D.) in Medical Sciences (First Moscow Medical Institute) U.S.S.R.*	Doctor of Philosophy (Ph.D.) in Medical Sciences (The Stichenow First Moscow Medical Institute), U.S.S.R.
Doctor of Philosophy (Ph.D.) in Medical Sciences (First Leningard Medical Institute) U.S.S.R.	Doctor of Philosophy (Ph.D.) in Medical Sciences (Ist I.P. Pavlov Medical Institute of Leningard), U.S.S.R.

1

2

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Crime Medical Institute of
Simferopol) U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Vitebsk Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Volgograd Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Rostov Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Stavropol Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
Medical Sciences Kalin in Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
Medical Sciences (Kuban Medical Institute
in Crasnadar) U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Irkutsk Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
Medical Sciences (Voroshylovgrad Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Donetsk Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Zaporozhye Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Lvov Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Vinitsa Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Minsk Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Odessa Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Tashkent Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Tadzhik Medical Institute in Dushauba)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (The Crimea State
Medical Institute) U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (The order of
People's Friendship Rostov State
Medical Institute), U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Tver State Medical
Institute), U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (The Lugansk
Medical Institute) U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Odessa Pirogov
Medical Institute) U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (2nd Tashkent Medical
Institute) U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Alma-Ata Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in —Medical Sciences (Vreva Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
In Medical Sciences (Kharkov Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Azerbaijan Medical Institute in Baku)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
In Medical Sciences (State Medical Institute Kiev)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
Medical Sciences (Second Moscow Medical Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Second Moscow
State Pirogov Medical Institute) U.S.S.R.

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Moscow Medical Stomatological)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Leningrad Sanitary Hygienic Institute)
U.S.S.R.*

Doctor of Philosophy (Ph.D.)
in Medical Sciences (Dagestan Medical Institute)
U.S.S.R.*

*Note :—“The Post graduate medical qualification Doctor of Philosophy (Ph.D.) in Medical Sciences awarded by Supreme Attestation Commission Moscow (U.S.S.R.) to students sponsored by Medical Council of India or to other students fulfilling the minimum eligibility criteria for admission to undergraduate of courses in India and admitted in the Institutions of erstwhile U.S.S.R. for undergraduate or post-graduate courses upto 1989 shall be recognised medical qualification.”

[No. V. 11025/34/95-ME (UG)]

S.K. MISHRA, Desk Officer

Footnote:— The Part II of the Third Schedule to the Indian Medical Council Act, 1956 (102 of 1956) was published as a part of the Indian Medical Council Act, 1956 in Part II, Section I of the Gazette of India (Extraordinary) vide issue No. 83, dated the 31st December, 1956.

नई दिल्ली, 13 जनवरी, 1997

का.आ.142—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 13 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद में परामर्श करने के 83 GI/97—2

पश्चात् उक्त अधिनियम की तृतीय अनुसूची के भाग 2 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची के भाग 2 में अन्त में निम्नलिखित प्रविष्टियाँ जोड़ी जायेगी, अर्थात् :—

“एम. बी.बी.एस. (यूनिवर्सिटी आफ नाइजीरिया), नसुक्का

डाक्टर आफ मैडीसन एंड सर्जरी,

(यूनिवर्सिटी आफ स्टडीज, पाविया), इटली

एम.डी. (टिमिसोआरा इंस्टीट्यूट आफ मैडीसन),
रुमानिया

एम.बी.सी.एच.बी. (यूनिवर्सिटी आफ बगदाद), इराक

एम.बी.बी.एस. (यूनिवर्सिटी आफ खतूम), सुडान

एम.डी. (यूनिवर्सिटी आफ रोस्टोक), जर्मन डेमोक्रेटिक
रिपब्लिक

डिप्लोमा डी डोक्टोरियन मैडीसन, अल्जीरिया

एम.डी. (यूनिवर्सिटी आफ काबुल), अफगानिस्तान

एम.डी. (यूनिवर्सिटी आफ मैडीसन एंड डेंटिस्ट्री
आफ न्यू जर्सी), यू.एस.ए.

एम.बी.बी.एस. (यूनिवर्सिटी आफ पपुआ, न्यू गिनी)
बोरोको

एम.डी. (यूनिवर्सिटी आफ पैक्स), हंगरी

एम.डी. (मैडीसन एंड सर्जरी) (यूनिवर्सिटी आफ
मैदानिया), इटली

डाक्टर आफ मैडीसन, एम.डी. (सेंट जार्जेस यूनिवर्सिटी)
स्कूल आफ मैडीसन, ग्रैनाडा, वैस्ट इंडीज फिजीशियन,
वारसा मैडिकल एकेडमी, पोलैंड डिप्लोमा आफ फिजीशियन
मैडिकल एकेडमी इन ग्दानस्क, पोलैंड

फिजीशियन एम.बी. (बीचलर आफ मैडीसन) मैडिकल
एकेडमी, सोफिया (हायर मैडिकल इंस्टीट्यूट), प्लेवेन,
बुल्गारिया

एम.डी. (अल्बर्ट सेंट ज्योर्ज मैडिकल यूनिवर्सिटी)
हंगरी

टिप्पणी : 16 सितम्बर, 2001 तक अनुवृत्त किये
जाने पर ये मान्यता प्राप्त चिकित्सीय
अर्हताये होंगी "

[सं.बी. 11015/25/94-एम ई (यू जी)]
एए.के. मिश्रा, डैस्क अधिकारी

टिप्पण :—भारतीय आयुर्विज्ञान परिषद अधिनियम,
1956 (1956 का 102) की तीसरी
अनुसूची का भाग 2 भारतीय आयुर्विज्ञान
परिषद अधिनियम, 1956 के भाग के
रूप में भारत के राजपत्र (असाधारण)
के भाग 2, धारा 1 में दिनांक 31
दिसम्बर, 1956 के अंक संख्या 83 के
के तहत प्रकाशित किया गया था।

New Delhi, the 13th January, 1997

S.O. 142.—In exercise of the powers conferred
by sub-section (4) of section 13 of the Indian
Medical Council Act, 1956 (102 of 1956), the
Central Government after consultation with the
Medical Council of India hereby makes the fol-
lowing further amendment in Part II of the Third
Schedule to the said Act, namely :—

In the said Schedule in part II, the following
entries shall be added at the end, namely :—

"M.B.B.S. (University of Nigeria Nsukka.

Doctor in Medicine and Surgery (University
of Studies), Pavia, Italy.

M. D. (Timisoara Institute of Medicine),
Romania.,

M.B.Ch.B. (University of Baghdad), Iraq.

M.B.B.S. (University of Khartoum), Sudan.

M.D. (University of Rostov), G.D.R.

Diploma De Docteuran Medicine Algeria.
M.D. (University of Kabul), Afghanistan.
M.D. (University of Medicine and Dentistry
of New Sersy), U S A
M.B.B.S. (University of Papua, New Gui-
nea), Boroka.
M.D. (University of Pecs), Hungary.
M.D. (Medicine and Surgery), (University
of Catania), Italy.
Doctor of Medicine, M.D. (St. George's
University School of Medicine, Grenada,
West Indies.

Physician, Warsaw Medical Academy, Poland.
Diploma of Physician, Medical Academy in
Gdansk, Poland.

Physician M.B. (Bachelor of Medicine),
Medical Academy, Sofia (Higher Medi-
cal Institute), Pleven, Bulgaria.

M.D. (Albert Szent Gyorgyi Medical Univer-
sity), Hungary.

Note :—These shall be recognised medical qua-
lification when granted upto 16th September,
2001.

[No. V-11015/25/94-ME(UG)]
S. K. MISHRA, Desk Officer

Footnote:—Part II of the Third Schedule to the
Indian Medical Council Act, 1956 (102 of 1956)
was published as a part of the Indian Medical
Council Act, 1956 in Part II, Section I of the
Gazette of India (Extraordinary) vide issue No.
83, dated the 31st December, 1956.

नागर विमानन मंत्रालय

नई दिल्ली, 8 जनवरी, 1997

का.ग्रा.143—केन्द्रीय सरकार, राजभाषा (संघ के
शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम
10 के उपनियम (4) के अनुसरण में, नागर विमानन
मंत्रालय के प्रशासनिक नियंत्रणाधीन पश्चिमी क्षेत्र स्थित
इंडियन एयरलाइन्स के जामनगर स्टेशन को, जिन के
कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया
है, अधिसूचित करते हैं।

[संख्या ई-11011/8/95-हिन्दी]
रघुनाथ सिंह, निदेशक (राजभाषा)

MINISTRY OF CIVIL AVIATION

New Delhi, the 8th January 1997

S. O. 143.—In pursuance of Sub-Rule (4) of
Rule 10 of the Official Language (Use for the
Official Purposes of the Union) Rules, 1976, the

Central Government hereby notifies Indian Air-
lines Ltd., Jam Nagar Station, Western Region
under the administrative control of Ministry of
Civil Aviation, the staff of which have acquired the
working knowledge of Hindi:

[No. E-11011/8/95-Hindi]

RAGHUNATH SAHAI, Director (O.L.)

दिल्ली विकास प्राधिकरण

सार्वजनिक सूचना

नई दिल्ली, 17 जनवरी, 1997

का० ग्रा० 144.—केन्द्रीय सरकार का दिल्ली को मुख्य
योजना/क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने
का प्रस्ताव है, जिसे जनता की जानकारों के लिये एतद्वारा
काशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि
किसी व्यक्ति को कोई आपत्ति हो अथवा सुझाव देना हो तो
वह अपनी आपत्ति/सुझाव लिखित रूप में इस सूचना के जारी
होने के 30 दिन की अवधि के अन्दर सचिव, दिल्ली विकास
प्राधिकरण, विकास सदन, "बी" ब्लॉक, आई०एन० ए०, नई
दिल्ली को भेज दें। आपत्ति करने/सुझाव देने वाले व्यक्ति
को अपना नाम और पता भी देना चाहिये।

संशोधन:—

(1) भारत के राजपत्र, भाग-2 खण्ड-3, उपखण्ड (2)
दिनांक 1-8-90 के पृष्ठ 164 में दायी और
“सार्वजनिक और अर्थ सार्वजनिक सुविधायें”
शोर्षक के अंतर्गत नियंत्रण (2) के बाद निम्नलिखित
जोड़ा जाता है:— “जोन “डी” (नई दिल्ली) में
“सार्वजनिक और अर्थ-सार्वजनिक सुविधायें शोर्षक
के अंतर्गत आने वाले विश्व स्वास्थ्य संगठन, आई०
पी० एस्टेट उपयोग परिसर के अंतर्गत भवन के
लिए विकास नियंत्रणों में अधिकतम फर्श क्षेत्रफल
अनुपात को एक-बार अपवाद के रूप में 100
से बढ़ाकर 150 करने का प्रस्ताव है।

(2) भारत के राजपत्र, भाग-2 खण्ड-3, उपखण्ड (2)
दिनांक 1-8-90 के पृष्ठ 163 में दायी और
प्राथमिक विद्यालय” (081)” शोर्षक के अंतर्गत

टिप्पणी:—विकलांगों के लिए विद्यालय के मानक
वहीं होंगे जो प्राथमिक विद्यालय के मानक हैं, को
निम्नलिखित प्रकार से बदला जाए:—

“विकलांगों के लिए विद्यालय”	(081-ए)
अधिकतम तल कवरेज	50%
अधिकतम फर्श क्षेत्रफल अनुपात	100
अधिकतम ऊंचाई	14 मीटर

- (3) मदनपुर खादर नई दिल्ली में जोन "ओ" में आने वाले 28 हेक्टेयर (70 एकड़) क्षेत्रफल जो उत्तर में आगरा नहर/माजिनल बांध पूर्व में नदी, दक्षिण में माजिनल बांध रोड़ और पश्चिम में नदी/सेन पावर लाइन में घिरा हुआ है के भूमि उपयोग को एल० पी० जी० बाटलिंग प्लॉट के लिये "कृषि और जल क्षेत्र" (ए-4) "से" व्यवसायिक (सी-2)" (भाण्डागार और भण्डारण में परिवर्तित किया जाना प्रस्तावित है।"

2. दिल्ली मुख्य योजना 2001 का पाठ/प्रस्तावित संशोधन को दर्शाने वाला नक्शा निरीक्षण के लिए उपर्युक्त अवधि के अन्दर सभी कार्य दिवसों में संयुक्त निदेशक (मुख्य योजना), मुख्य योजना अनुभाग, छठी मंड़ल, आई० पी० एस्टेट, नई दिल्ली के कार्यालय में उपलब्ध है।

[सं० एक० 20(11)/95-एम० पी०]

विश्व मोहन बंसल, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 17th January, 1997

S.O. 144.—The following modification which the Central Government proposes to make in the Master Plan/Zonal Development Plan for Delhi, are hereby published for public information. Any person having any objection/suggestion with respect to the proposed modifications may send the objections/suggestion in writing to the Secretary, Delhi Development Authority, Vikas Sadan, 'B' Block, INA, New Delhi within a period of thirty days from the date of issue of this notice. The person making the objection/suggestion should also give his name and address.

MODIFICATIONS :

- (i) At page 164 right hand side of the Gazette of India, Part II section 3 sub-section (ii) dated 1-8-90, under the heading 'Public and semi-Public facilities', the following is added after controls(ii);

"In the development controls for building within use premises of World Health Organisation, IP Estate, falling in zone 'D' (New Delhi), under 'Public and semi-Public Facilities', maximum FAR is proposed to be increased from 100 to 150 as one time exception".

- (ii) At page 163 (RHS) of the Gazette of India, Part II, Section 3 Sub-section (ii) dated 1-8-90, under the heading 'Primary School' (081)", the Note : 'school for the Handicapped shall have the same norms of the Primary School' is to be substituted as under :—

"SCHOOL FOR HANDICAPPED' (081-A)
Maximum ground coverage 50 per cent
Maximum Floor Area Ratio 100
Maximum Height 14M."

- (iii) "The land use of an area, measuring 28 ha. (70 acres) falling in Zone 'O' (River Yamuna) bounded by Agra Canal Marginal Bund in the North, River Bed in the East, Marginal Bund Road in the South and River bed/Main Power line in the West is proposed to be changed from 'agricultural and water body' (A-4) to 'Commercial' (C-2) (Warehousing and storage) for LPG bottling plant at Madanpur Khadar, New Delhi."

2. The text of MPD-2001/Plan indicating the proposed modifications are available for inspection at the office of the Joint Director (MP) Master Plan Section, 6th floor, Vikas Minar, IP Estate, New on all working days within the period referred above.

[No. F. 20(11)95-MP]

V. M. BANSAL, Commissioner-cum-Secy.

New Delhi,

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 14 जनवरी, 1997

का. आ. 145.— केंद्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 §1962 का 50§ जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है। की धारा 3 की उपधारा §1§ के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1478 तारीख 25 मई 1996, पश्चिमी बंगाल राज्य के दक्खिना से बिहार राज्य के बरौनी तक रूड के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त अधिसूचना की प्रतियाँ जनता की तारीख 10 जुलाई 1996 को उपलब्ध कर दी गई थी ।

और उक्त अधिनियम की धारा 6 की उपधारा §1§ के अनुसरण में सक्षम प्राधिकारों ने केंद्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केंद्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा §1§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केंद्रीय सरकार उक्त धारा की उपधारा §4§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निवेश देती है कि उक्त भूमियों के उपयोग का अधिकार केंद्रीय सरकार में निहित होने के बजाय सभी विस्तरणों से मुक्त सीडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

पुलिस थाना : रेंना		जिला : बर्दवान		राज्य : पश्चिमी बंगाल	
गाँव	आधिकारिता सूची संख्या	प्लॉट सं०	हेक्टेयर	क्षेत्र आरे	सेंटीमीटर
1	2	3	4	5	6
कामरहटी	174	247	0	15	7
		249	0	6	64
		437	0	5	53
		272	0	1	35
		271	0	3	46
		265	0	1	12
		273	0	7	8
		425	0	6	72
		264	0	0	32
		426	0	2	41
		427	0	16	20
		428	0	10	95
		406	0	0	61
		3075	0	4	75
		3074	0	10	24
		3076	0	0	60
		3072	0	1	68
		3070	0	1	50
		3071	0	2	97
		3065	0	2	95
		3066	0	2	74
		3067	0	0	45
		3062	0	9	24
		3098	0	1	16
		3099	0	26	67

1	2	3	4	5	6
		3100	0	0	9
		3776	0	1	27
		3770	0	4	0
		3102	0	6	2
		3103	0	4	45
		3791	0	1	15
		3140	0	11	50
		3141	0	3	31
		3143	0	19	95
		3136	0	1	80
		3135	0	3	16
		3132	0	4	28
		3133	0	4	39
		3453	0	10	85
		3454	0	5	55
		3445	0	3	78
		3455	0	2	22
		3444	0	8	40
		3473	0	1	90
		3435	0	5	56
		3493	0	5	72
		3495	0	0	70
		3497	0	2	64
		3525	0	6	12
		3524	0	6	64
		3523	0	6	55
		3451	0	5	32

1	2	3	4	5	6
		3522	0	4	43
		3520	0	10	72
		3539	0	0	50
		3541	0	13	64
		3678	0	0	58
		3677	0	11	31
		3676	0	0	34
		3675	0	8	56
		3695	0	0	62
		3697	0	0	37
		3696	0	3	82
		3698	0	4	68
		3699	0	6	38
		3707	0	7	24
		3706	0	1	16
		3709	0	6	62
		3710	0	2	31
		3716	0	3	44
		3715	0	1	27
		3714	0	3	15
		3713	0	7	52
		3730	0	0	31
		3731	0	9	78
		3733	0	14	18
		196	0	7	14
		194	0	13	82
		192	0	5	34
		193	0	0	97
		191	0	9	19

1	2	3	4	5	6
		166	0	13	74
		161	0	0	12
		3130	0	9	80
		164	0	0	14
		165	0	7	64
		163	0	0	18
		137	0	14	1
		134	0	12	71
		135	0	1	20
		99	0	0	27
		98	0	16	16
		94	0	0	23
		96	0	7	56
		88	0	13	78
		87	0	4	64
		86	0	1	78
		85	0	4	80
		78	0	6	68
		79	0	10	72
		8	0	10	30
		9	0	9	19
		10	0	7	80
		12	0	6	41
		439	0	4	96
		2	0	5	98
		443	0	0	8
		3433	0	22	27
कोंगरपुर	186	218	0	5	76

1	2	3	4	5	6
		833	0	9	25
		205	0	0	22
		206	0	3	90
		207	0	3	34
		208	0	3	71
		209	0	0	75
		210	0	1	67
		202	0	7	25
		212	0	0	24
लोहाई	185	3107	0	4	18
		3108	0	8	91
		3105	0	0	1
		3104	0	25	61
		3083	0	6	68
		3084	0	5	85
		3085	0	9	46
		3088	0	6	68
		3087	0	7	69
		3034	0	0	14
		3140	0	8	7
		3032	0	3	34
		3033	0	4	3
		3031	0	0	21
		3030	0	0	1
		3015	0	9	84
		3016	0	6	13
		3018	0	1	11
		3017	0	2	71
		3000	0	3	0

1	2	3	4	5	6
		3709	0	9	4
		3001	0	8	77
		3002	0	8	77
		3712	0	6	12
		2979	0	12	25
		2960	0	20	61
		2927	0	0	28
		2926	0	7	24
		2925	0	7	80
		2924	0	10	86
माधबोढ़ी	184	853	0	11	70
		949	0	16	15
		950	0	7	51
		954	0	1	75
		970	0	13	80
		969	0	2	25
		968	0	0	16
		963	0	12	25
		964	0	0	1
		961	0	8	17
आलमपुर	183	1358	0	3	61
		1355	0	0	1
		1352	0	1	61
		1346	0	5	80
		1345	0	1	86
		1419	0	7	80
		1344	0	5	88
		1126	0	1	25
		1128	0	6	95

1	2	3	4	5	6
		1134	0	0	85
		1135	0	0	78
		1133	0	0	68
		1132	0	0	47
		1131	0	3	90
		1130	0	6	26
		1391	0	3	88
		1137	0	0	7
		1138	0	3	75
		1140	0	3	90
		1043	0	5	48
		1044	0	6	89
		1038	0	2	30
		1037	0	0	17
		1038/1421	0	2	51
		1039	0	1	76
		1040	0	0	9
		1036	0	3	34
		1032	0	5	71
		1031	0	0	42
		967	0	2	55
		968	0	8	26
		965	0	8	73
		972	0	1	14
		973	0	5	29
		980	0	3	60
		981	0	3	62
		982	0	0	83
		983	0	3	55

1	2	3	4	5	6
		984	0	3	41
		985	0	0	21
		986	0	2	90
		942	0	2	78
		941	0	2	30
		929	0	0	1
		930	0	1	73
		931	0	0	13
		938	0	2	99
		937	0	2	17
		939	0	0	1
		1378	0	3	6
		1379	0	2	99
		871	0	0	64
		872	0	2	66
		860	0	20	35
		877	0	18	75
		878	0	1	30
		819	0	8	89
		818	0	3	27
		807	0	8	85
		808	0	4	23
		809	0	7	0
		811	0	0	56
		814	0	9	74
		815	0	8	91
		812	0	0	1
		1392	0	1	50
		971	0	0	1

1	2	3	4	5	6
		934	0	0	12
		935	0	0	11
		817	0	0	2
		1354	0	10	21
ଓମ୍ରାଧର	180	808	0	6	33
		807	0	0	70
		787	0	4	18
		788	0	6	59
		789	0	5	8
		790	0	0	37
		760	0	7	89
		759	0	3	45
		758	0	12	74
		762	0	2	55
		763	0	7	1
		751	0	30	9
		756	0	0	1
		750	0	2	81
		731	0	9	25
		733	0	9	95
		725	0	2	9
		682	0	4	46
		683	0	16	43
		685	0	3	6
		681	0	0	19
		673	0	3	74
		1033	0	1	36
		476	0	6	13

1	2	3	4	5	6
		603	0	5	57
		604	0	0	2
		607	0	1	62
		474	0	4	04
		473	0	6	13
		614	0	3	90
		460	0	10	1
		459	0	8	21
		458	0	6	58
		752	0	0	6
		734	0	0	1
		671	0	8	16
चकबसौतवाती	181	25	0	17	43
		26	0	0	98
		23	0	12	81
		22	0	4	27
		31	0	5	64
		13	0	7	34
		14	0	8	49
		20	0	0	28
		15	0	12	67
		17	0	0	17
		16	0	3	89
धारन	124	4780	0	6	41
		4781	0	4	3
		4779	0	2	30
		4776	0	4	83

1	2	3	4	5	6
		4777	0	0	98
		4775	0	6	50
		4581	0	27	84
		4583	0	0	83
		4582	0	1	94
		4579	0	12	25
		4577	0	3	48
		4885	0	2	51
		4605	0	15	97
		4430	0	9	65
		4431	0	7	43
		4429	0	6	77
		4411	0	0	37
		4412	0	10	58
		4414	0	13	9
		4409	0	0	1
		4416	0	4	27
		4417	0	4	83
		4418	0	10	86
		4419	0	1	6
		4390	0	6	68
		4394	0	3	6
		4389	0	0	1
		4388	0	5	92
		4386	0	11	14
		4385	0	11	55
		4384	0	2	92
		4383	0	1	67
		4377	0	1	54

1	2	3	4	5	6
		4374	0	2	36
		4397	0	0	98
		4373	0	7	52
		4344	0	12	53
		4345	0	6	68
		4343	0	6	96
		4351	0	4	4
		4352	0	3	90
		4354	0	9	47
		3745	0	4	18
		3746	0	6	68
		3744	0	3	90
		3741	0	7	24
		3739	0	0	1
		3742	0	0	33
		3734	0	7	66
		4934	0	3	6
		3733	0	2	22
		3732	0	8	62
		3731	0	3	83
		1421	0	1	81
		1407	0	4	73
		1408	0	0	98
		1414	0	2	72
		1412	0	6	5
		1409	0	6	41
		1410	0	7	71
		1390	0	1	49

1	2	3	4	5	6
		1389	0	5	29
		1388	0	7	24
		2985	0	3	6
		1387	0	5	57
		1386	0	10	68
		631	0	0	21
		630	0	10	48
		629	0	13	92
		615	0	1	67
		627	0	15	78
		626	0	2	42
		618	0	0	34
		620	0	7	24
		624	0	13	92
		621	0	0	1
		622	0	18	38
		474	0	0	83
		473	0	9	28
		476	0	1	50
		471	0	2	16
		478	0	5	47
		477	0	0	1
		479	0	9	65
		480	0	6	50
		481	0	8	35
		426	0	9	84
		424	0	2	4
		423	0	8	35
		422	0	6	50

1	2	3	4	5	6
		420	0	4	31
		421	0	5	1
		417	0	3	36
		341	0	6	22
		342	0	6	13
		343	0	0	21
		344	0	11	66
		351	0	0	40
		350	0	2	60
		345	0	0	42
		349	0	3	34
		355	0	0	37
		328	0	6	87
		357	0	2	32
		327	0	8	17
		322	0	8	34
		321	0	0	1
		323	0	4	64
		317	0	0	23
		324	0	0	2
		316	0	5	1
		315	0	0	56
		298	0	0	58
		299	0	4	63
		300	0	5	63
		301	0	11	86
		302	0	2	99
		314	0	0	20
		303	0	0	24

1	2	3	4	5	6
		294	0	0	28
बायथारी	66	695	0	9	86
		691	0	6	13
		692	0	7	74
		694	0	4	82
		774	0	2	82
		681	0	9	55
		677	0	14	33
		380	0	0	1
		678	0	0	2
		379	0	2	23
		378	0	7	85
		376	0	6	82
		375	0	1	46
		368	0	6	16
		377	0	2	78
उदगारह	67	1476	0	7	17
		1474	0	7	5
		969	0	1	95
		970	0	4	86
		971	0	7	65
		972	0	1	67
		973	0	6	13
		956	0	0	37
		980	0	1	38
		919	0	7	56

1	2	3	4	5	6
		921	0	0	30
		922	0	6	54
		927	0	10	9
		928	0	0	40
		926	0	2	21
		930	0	1	85
		903	0	15	83
		902	0	2	34
		900	0	9	24
		899	0	4	4
		898	0	3	27
		1496	0	8	7
		1493	0	3	71
		1494	0	2	82
		1495	0	14	91
बजितपुर	60	790	0	3	42
		789	0	14	85
		534	0	0	86
		545	0	5	30
		544	0	9	80
		532	0	0	76
		505	0	5	14
		506	0	0	32
		504	0	11	0
		498	0	12	95
		491	0	2	55
		507	0	0	9
		486	0	2	60

1	2	3	4	5	6
		490	0	7	24
		489	0	0	1
		487	0	16	90
		474	0	7	24
		473	0	6	48
		470	0	6	68
		469	0	8	90
		468	0	0	1
		427	0	0	1
		426	0	10	58
		425	0	4	99
		424	0	1	46
बोरा	57	468	0	0	12
उजिरहाटी	58	409	0	3	71
		408	0	1	66
		407	0	3	89
		404	0	0	1
		403	0	0	60
		402	0	3	6
		400	0	8	0
		331	0	3	62
		332	0	0	83
		330	0	8	42
		328	0	18	94
		142	0	10	85
		144	0	4	25
		145	0	1	50
		112	0	11	70
		113	0	0	58

1	2	3	4	5	6
		111	0	7	52
		109	0	0	1
		110	0	9	40
		101	0	0	1
		104	0	0	32
		103	0	5	26
		84	0	2	66
		82	0	7	5
		72	0	1	88
		73	0	6	26
		75	0	7	80
		76	0	3	34
		41	0	11	32
		40	0	0	14
		14	0	5	38
		15	0	10	65
		11	0	9	19
		10	0	5	20
		9	0	5	2
		8	0	4	73
		7	0	0	98
		6	0	12	38
		5	0	2	51
		415	0	8	35
		83	0	3	22
कोना कृष्णापुर	56	258	0	3	48
		257	0	0	1
		259	0	9	65

1	2	3	4	5	6
		285	0	0	74
		260	0	0	1
		253	0	5	18
		252	0	9	56
		250	0	6	75
		249	0	3	48
मोगल मारी	59	766	0	5	56
		767	0	5	95
		765	0	10	37
		764	0	6	62
		752	0	1	12
		753	0	5	15
		750	0	1	46
		754	0	12	25
		755	0	1	88
		737	0	12	25
		736	0	3	43
		735	0	10	45
		730	0	0	12
		729	0	7	63
		727	0	1	50
		709	0	8	9
		728	0	0	9
		722	0	5	28
		721	0	2	50
		718	0	2	78
		717	0	2	73
		716	0	0	5
		711	0	2	78

1	2	3	4	5	6
		710	0	4	25
		708	0	0	84
		164	0	10	85
		163	0	0	97
		168	0	0	41
		169	0	7	38
		170	0	0	83
		180	0	8	77
		178	0	8	91
		176	0	0	62
		177	0	5	1
		77	0	3	90
		78	0	7	87
		72	0	13	56
		67	0	7	61
		68	0	1	4
		69	0	2	59
		64	0	1	11
		63	0	1	67
		59	0	0	1
		60	0	0	12
		62	0	0	70
		28	0	6	40
		27	0	1	5
		33	0	4	45
		34	0	0	70
		12	0	0	1
		4	0	9	33
		3	0	3	34

1	2	3	4	5	6
सेहारा	55	2996	0	35	10
		2998	0	0	1
		2934	0	0	56
		2936	0	13	12
		2938	0	5	85
		2926	0	1	98
		2925	0	5	42
		2923	0	6	64
		2924	0	0	1
		2905	0	0	45
		2907	0	3	84
		2908	0	0	35
		2909	0	0	51
		2906	0	1	40
		2900	0	16	28
		2910	0	0	2
		2800	0	11	25
		2801	0	5	8
		2799	0	6	36
		2803	0	4	21
		2789	0	7	53
		2788	0	2	12
		2809	0	2	59
		2785	0	9	92
		2784	0	8	34
		2752	0	0	1
		2750	0	5	46

1'	2	3	4	5	6
		2782	0	3	76
		2760	0	0	28
		2754	0	8	17
		2757	0	7	43
		2758	0	6	38
		2660	0	3	80
		2659	0	6	83
		2658	0	3	93
		2664	0	0	20
		2665	0	3	67
		2667	0	5	22
		2657	0	0	88
		2596	0	0	16
		2584	0	10	97
		2595	0	2	62
		2594	0	1	30
		2585	0	7	97
		2592	0	0	14
		2586	0	0	1
		2591	0	1	76
		2588	0	5	14
		2574	0	3	83
		2937	0	0	2

<p>पुलिस थाना : खण्डघोष जिला बर्दवान राज्य : पश्चिमी बंगाल</p>					
गाँव	आधिकारिता सूची संख्या	प्लॉट सं०	क्षेत्र		
			हेक्टेयर	अरे	सेंटीअरे
1	2	3	4	5	6
बड़ा गोपीनाथपुर:	102	281	0	1	71
		284	0	5	7
		280	0	1	12
		288	0	11	37
		291	0	0	88
		290	0	5	85
		289	0	4	92
		274	0	17	26
		272	0	0	92
		220	0	9	75
		221	0	1	54
		222	0	5	57
		223	0	0	92
		224	0	10	44
		225	0	0	70
		209	0	1	22
		208	0	2	41
		187	0	5	96
		188	0	8	11
		186	0	0	81
		189	0	13	81
		190	0	8	80
		191	0	0	21
		166	0	11	95
कामदेबपुर	95	1587	0	7	16

1	2	3	4	5	6
		1588	0	6	96
		1584	0	3	2
		1583	0	4	21
		1582	0	7	33
		1591	0	0	76
		1592	0	2	30
		1593	0	0	28
		1581	0	13	50
		1382	0	12	90
		1385	0	2	45
		1401	0	3	76
		1400	0	4	50
		1386	0	1	95
		1388	0	7	80
		1387	0	6	95
		1389	0	0	13
		1390	0	5	60
		1247	0	1	40
		1244	0	16	27
		1243	0	1	86
		1259	0	14	23
		1242	0	0	63
		1260	0	15	7
		1264	0	1	73
		1266	0	2	88
		1265	0	0	62

1	2	3	4	5	6
		1267	0	3	61
		1268	0	0	35
		1269	0	3	91
		1270	0	2	90
		1271	0	0	22
		1274	0	0	5
		1275	0	5	50
		1276	0	8	5
		1277	0	4	57
		1279	0	2	92
		1280	0	3	73
सुनिया	91	938	0	1	15
		932	0	1	15
		929	0	1	51
		939	0	7	14
		927	0	0	7
		926	0	8	65
		918	0	9	70
		919	0	15	26
		913	0	3	78
		912	0	5	42
		911	0	0	34
		910	0	3	9
		909	0	21	23
		934	0	3	86
जरुल	92	791	0	2	34

1	2	3	4	5	6
		774	0	1	91
		773	0	6	50
		772	0	7	68
		768	0	1	76
		765	0	8	35
		759	0	7	80
		764	0	7	24
		763	0	1	78
		762	0	1	17
		151	0	6	1
		152	0	0	64
		150	0	0	1
		149	0	2	9
		148	0	7	73
		146	0	1	62
		147	0	8	58
		139	0	8	72
		140	0	5	90
		43	0	5	99
		42	0	0	47
		44	0	10	41
		41	0	0	90
		45	0	0	9
		47	0	14	97
		27	0	0	13
		26	0	1	43
		9	0	20	38
		10	0	6	13
		13	0	0	70

1	2	3	4	5	6
		16	0	0	47
		12	0	7	10
		15	0	0	70
		1	0	0	1
		19	0	1	30
तारपेश	81	1008	0	14	90
		1009	0	26	71
		1013	0	1	38
		983	0	0	17
		982	0	1	70
		981	0	5	78
		1019	0	2	51
		980	0	5	42
		978	0	3	32
		977	0	6	58
		880	0	3	81
		881	0	7	21
		882	0	0	21
		877	0	1	4
		876	0	5	46
		875	0	5	51
		1171	0	8	9
		887	0	0	56
		886	0	3	91
		836	0	9	65
		843	0	0	52

1	2	3	4	5	6
		842	0	4	12
		844	0	1	13
		841	0	6	80
		837	0	0	14
		838	0	6	98
		839	0	0	51
		1188	0	5	22
		1196	0	5	20
		799	0	6	11
		798	0	0	3
		793	0	3	16
		797	0	1	78
		219	0	7	69
		795	0	0	42
		220	0	4	27
		223	0	0	81
		222	0	11	38
		213	0	6	70
		210	0	1	75
		201	0	12	82
		202	0	4	18
		200	0	3	51
		199	0	3	34
		167	0	2	65
		168	0	1	81
		169	0	8	73
		170	0	2	37
		37	0	3	47

1	2	3	4	5	6
		38	0	7	18
		36	0	6	18
		27	0	4	8
		28	0	10	58
		1153	0	4	27
		1	0	8	58
		979	0	0	52
		796	0	0	1
		1073	0	14	10
		840	0	0	35
जुमिला	76	6570	0	3	6
		6572	0	12	80
		6573	0	2	22
		6533	0	4	3
		6534	0	4	87
		6535	0	0	1
		6532	0	6	68
		6942	0	1	57
		5770	0	0	21
		5767	0	10	30
		5766	0	11	13
		5764	0	3	34
		5755	0	10	2
		5756	0	5	56
		5757	0	2	32
		5750	0	5	90
		5736	0	5	56
		5687	0	8	70
		5681	0	0	1

1	2	3	4	5	6
		5682	0	1	40
		5683	0	6	89
		5684	0	6	7
		5685	0	5	69
		5686	0	4	61
		5675	0	12	80
		5673	0	8	91
		5672	0	6	26
		4736	0	15	67
		4711	0	1	12
		4726	0	3	90
		4712	0	11	2
		4725	0	4	8
		4714	0	0	1
		4724	0	4	45
		4715	0	2	78
		4703	0	0	37
		4702	0	4	73
		6569	0	0	1
		6513	0	0	55
		6517	0	8	91
		6512	0	7	70
		6514	0	6	47
		6852	0	0	37
अलादिपुर	82	1380	0	1	85
		209	0	0	46
		186	0	1	90
		183	0	3	69
		184	0	1	40

1	2	3	4	5	6
कृष्णापुर कुकरा 83		182	0	0	95
		185	0	7	86
		179	0	10	45
		178	0	7	40
		177	0	0	27
		147	0	8	21
		148	0	6	12
		132	0	0	62
		133	0	8	72
		136	0	0	9
		134	0	2	87
		210	0	15	31
		301	0	7	24
		293	0	9	46
		291	0	7	93
		290	0	6	54
		289	0	0	1
		288	0	1	4
		287	0	5	71
		286	0	1	76
		277	0	0	97
		246	0	8	63
		247	0	10	9
		245	0	0	1
		239	0	6	22
		233	0	3	48
		235	0	3	13
		234	0	10	48
		284	0	0	81

1	2	3	4	5	6
आइमा खेगर्	71	130	0	6	12
		129	0	6	56
		127	0	4	87
		126	0	1	9
		125	0	0	1
शंकरा	70	7168	0	9	75
		7171	0	3	53
		7190	0	10	94
		7169	0	1	62
		7191	0	1	42
		7170	0	6	60
		7155	0	13	63
		7150	0	0	12
		7149	0	6	68
		7148	0	5	75
		7147	0	0	81
		7204	0	12	36
		7086	0	10	2
		7087	0	6	21
		7089	0	9	47
		7070	0	0	83
		7091	0	5	29
		7092	0	5	1
		7100	0	1	67
		7099	0	4	73
		7095	0	1	11
		7098	0	13	23
		7032	0	11	56
		7031	0	0	21

1	2	3	4	5	6
		7030	0	12	7
		7029	0	8	63
		7028	0	10	72
		6975	0	1	13
		6976	0	13	65
		6979	0	3	90
		6978	0	5	71
		6980	0	4	18
		6981	0	2	32
		6970	0	0	47
		6969	0	3	11
		6982	0	1	55
		6983	0	9	79
		7247	0	0	72
		6984	0	4	8
		6426	0	10	21
		6425	0	0	51
		6423	0	5	6
		6424	0	2	51
		6421	0	6	99
		8141	0	0	1
		8165	0	4	8
		6420	0	3	89
		6410	0	6	83
		6408	0	3	53
		6407	0	0	50
		6409	0	0	47
		6381	0	8	35
		6382	0	0	83

1	2	3	4	5	6
		6031	0	4	83
		6033	0	0	1
		6035	0	5	19
		6036	0	8	28
		6037	0	4	5
		6025	0	0	64
		6024	0	5	43
		6019	0	0	42
		6021	0	1	95
		6022	0	7	10
		6017	0	4	73
		6016	0	5	1
		6005	0	7	62
		1228	0	2	4
		1207	0	5	10
		1205	0	5	41
		1206	0	0	11
		1208	0	0	98
		1202	0	0	9
		1199	0	9	19
		1198	0	0	42
		1197	0	2	34
		1196	0	2	85
		1195	0	0	83
		845	0	2	92
		846	0	3	90
		847	0	0	28
		851	0	7	52
		850	0	0	1

1	2	3	4	5	6
		852	0	10	58
		855	0	7	5
		856	0	4	41
		864	0	3	71
		857	0	0	3
		862	0	1	21
		863	0	3	13
		561	0	6	41
		560	0	5	1
		559	0	5	1
		564	0	0	56
		543	0	6	13
		540	0	9	24
		542	0	0	1
		541	0	0	79
		539	0	0	1
		537	0	3	6
		538	0	3	16
		531	0	10	68
		530	0	5	85
		521	0	0	65
		522	0	3	81
		435	0	3	29
		430	0	2	21
		433	0	2	65
		436	0	8	82
		437	0	7	53
		419	0	5	46
		420	0	2	31

1	2	3	4	5	6
		416	0	6	50
		417	0	0	1
		415	0	4	58
		394	0	1	32
		395	0	2	27
		396	0	6	95
		376	0	6	39
		375	0	4	4
		183	0	5	1
		192	0	0	1
		184	0	0	1
		191	0	5	56
		190	0	2	32
		197	0	0	14
		189	0	5	24
		78	0	3	31
		88	0	4	87
		89	0	1	74
		87	0	5	94
		86	0	5	82
		84	0	5	43
		83	0	8	35
		434	0	5	86
पलाशड़ांगा	80	424	0	0	98
		421	0	9	12
		422	0	3	13
		419	0	4	73
		418	0	0	1
		417	0	4	46

1	2	3	4	5	6
		415	0	1	25
		416	0	3	75
		408	0	0	47
		407	0	0	70
		406	0	6	8
		405	0	0	14
		404	0	2	23
		403	0	1	81
		402	0	0	21
		389	0	2	23
		388	0	3	44
		366	0	0	97
		387	0	0	47
		383	0	1	95
		384	0	2	65
		385	0	3	34
		379	0	0	47
		378	0	1	2
		373	0	1	67
		377	0	1	56
		479	0	2	6
		308	0	0	60
		307	0	1	86
		306	0	9	45
		303	0	0	1
		482	0	12	90
		264	0	2	32
		485	0	11	60
		153	0	1	60

1	2	3	4	5	6
		154	0	1	25
		155	0	1	88
		930	0	0	58
		150	0	0	56
		149	0	0	1
		161	0	2	23
		162	0	1	11
		147	0	1	17
		146	0	2	92
		145	0	1	83
		164	0	0	14
		933	0	0	6
		934	0	0	1
		165	0	1	36
		144	0	1	25
		48	0	1	85
		47	0	1	63
		49	0	0	93
		50	0	1	9
		907	0	7	80
		71	0	4	45
		870	0	0	49
		862	0	0	51
		868	0	0	53
		871	0	3	75
		944	0	1	34
		919	0	0	90
		879	0	2	45
		878	0	3	17

1	2	3	4	5	6
		880	0	1	95
		920	0	0	30
		872	0	1	39
		884	0	0	23
		873	0	0	28
		885	0	6	19
		163	0	1	6
औनिथा	59	183	0	2	27
		182	0	7	16
		179	0	5	9
		186	0	0	88
		187	0	0	71
		190	0	0	1
		191	0	4	50
		193	0	1	95
		194	0	2	45
		195	0	2	41
		196	0	1	62
		197	0	0	70
		199	0	4	1
		205	0	9	39
		206	0	3	44
		207	0	1	58
		209	0	7	61
		213	0	1	39
		214	0	7	7
		212	0	3	57
		100	0	3	34
		215	0	4	73

1	2	3	4	5	6
		101	0	3	62
		102	0	0	1
		99	0	14	7
		672	0	4	87
		53	0	8	7
		95	0	1	32
		98	0	0	51
		94	0	4	65
		90	0	3	44
		89	0	2	32
		86	0	1	81
		78	0	3	93
		79	0	5	38
		650	0	4	59
		75	0	7	43
		80	0	1	6
		677	0	0	34
		662	0	1	4
कृष्णानगर	51	539	0	6	12
		538	0	0	51
		537	0	6	73
		3299	0	3	32
		3298	0	0	81
		2244	0	4	5
		2245	0	3	25
		535	0	0	1
		502	0	10	86
		503	0	8	90
		504	0	7	31
					0

1	2	3	4	5	6
		505	0	0	4
		506	0	8	62
		507	0	3	12
		508	0	5	84
सासंगा	58	3247	0	0	55
		3261	0	9	11
		3262	0	13	92
		3172	0	3	6
		3167	0	7	92
		3168	0	3	57
		3169	0	6	11
		3170	0	4	90
		2375	0	4	67
		2376	0	0	48
		2374	0	0	31
		2382	0	1	33
		2383	0	0	20
		2371	0	0	86
		2402	0	8	61
		2401	0	0	1
		2413	0	4	86
		2347	0	7	79
		2414	0	7	29
		2415	0	11	0
		2416	0	0	1
		2417	0	0	10
		2420	0	9	9
		2421	0	16	3
		2423	0	0	8

1	2	3	4	5	6
		2280	0	0	8
		2424	0	0	70
		2425	0	10	1
		2259	0	8	62
		2260	0	4	34
		2261	0	0	63
		2262	0	6	12
		2263	0	6	71
		2264	0	0	8
		2249	0	7	79
		232	0	4	51
		231	0	0	46
		233	0	6	76
		236	0	1	85
		235	0	0	72
		237	0	1	67
		240	0	1	13
		241	0	0	58
		222	0	0	70
		221	0	0	91
		220	0	0	33
		242	0	0	97
		249	0	2	23
		217	0	0	20
		219	0	4	20
		248	0	3	6
		247	0	2	13
		251	0	0	1
		252	0	4	34

1	2	3	4	5	6
		253	0	1	38
		261	0	3	16
		262	0	0	1
		199	0	2	40
		200	0	0	33
		197	0	1	2
		196	0	2	34
		195	0	6	12
		81	0	4	9
		83	0	1	56
		82	0	5	84
		91	0	3	54
		92	0	2	92
		93	0	1	53
		70	0	1	67
		69	0	4	62
		72	0	0	76
		68	0	4	73
		67	0	0	32
		66	0	6	12
		65	0	4	41
		64	0	0	1
		62	0	4	82
		61	0	5	76
		60	0	1	74
		59	0	3	10
		58	0	8	27
		41	0	1	81
		37	0	6	40

1	2	3	4	5	6
		39	0	9	58
		36	0	7	9
मशिला	57	745	0	8	80
		744	0	4	73
		731	0	7	13
		732	0	4	64
		733	0	1	9
		734	0	0	1
		729	0	0	83
		728	0	2	59
		727	0	3	90
		726	0	2	11
		725	0	2	14
		719	0	0	9
		720	0	1	75
		722	0	1	95
		721	0	1	16
		706	0	0	16
		705	0	2	55
		704	0	1	94
		703	0	1	88
		693	0	1	34
		695	0	5	80
		694	0	0	4
		686	0	1	58
		687	0	1	90
		688	0	1	48
		641	0	3	6
		640	0	1	67

1	2	3	4	5	6
		608	0	11	13
		467	0	0	24
		639	0	2	34
		637	0	1	11
		466	0	3	76
		636	0	0	24
		635	0	0	1
		465	0	1	24
		464	0	0	16
		463	0	7	48
		462	0	3	13
		461	0	2	48
		609	0	0	28
		611	0	3	56
		459	0	2	41
		458	0	7	52
		451	0	1	48
		452	0	0	68
		450	0	5	36
		449	0	5	46
		448	0	0	1
		1226	0	0	16
		767	0	3	81
नपारा	56	2639	0	2	88
		2640	0	2	24
		2642	0	2	55
		2643	0	2	51
		1535	0	0	24

पुलिस थाना : बर्दवान		जिला : बर्दवान	राज्य : पश्चिमी बंगाल		
गाँव	अधिकारिता सूची संख्या	प्लॉट सं०	क्षेत्र		
			हेक्टेयर	आरे	सेंटीआरे
1	2	3	4	5	6
नाला	20	3754	0	3	84
		3755	0	3	21
		3753	0	1	10
		4853	0	2	63
		3751	0	3	34
		3752	0	1	11
		3709	0	10	30
		5507	0	2	27
		3704	0	5	59
		3711	0	2	21
		3714	0	4	99
		4919	0	5	8
		3715	0	9	75
		3717	0	0	11
		4842	0	6	50
		4871	0	11	88
		12	0	6	96
		5055	0	5	10
		2506	0	2	60
		2507	0	0	70
		2500	0	6	45
		2499	0	2	97
		2498	0	6	3
		2489	0	1	95
		2486	0	2	31

1	2	3	4	5	6
		2490	0	2	56
		2480	0	0	3
		2481	0	13	9
		2465	0	9	84
		2466	0	11	79
		2413	0	0	39
		11	0	1	11
		2412	0	5	97
		2406	0	23	5
		2405	0	2	90
		2404	0	2	60
		2397	0	5	57
		2398	0	0	23
		2396	0	8	40
		2395	0	9	75
		1131	0	9	19
		1132	0	5	48
		1159	0	0	6
		1128	0	7	82
		1125	0	4	60
		1162	0	2	36
		1163	0	2	64
		5135	0	2	78
		1124	0	2	25
		1178	0	3	84
		1179	0	3	6
		1120	0	8	21

1	2	3	4	5	6
		1119	0	9	47
		1118	0	11	34
		1116	0	15	72
		1114	0	12	25
		1113	0	11	27
		82	0	6	96
		81	0	0	50
		83	0	7	85
		84	0	7	86
		85	0	1	6
		86	0	9	84
		99	0	10	38
		5115	0	1	2
		100	0	2	5
		101	0	1	36
		102	0	9	15
		103	0	9	88
		65	0	12	67
		64	0	7	45
		63	0	15	12
		62	0	0	14
		37	0	9	26
		38	0	7	69
		17	0	0	28
		5140	0	14	5
		16	0	0	72
		39	0	0	95
		15	0	0	2
		14	0	13	89
		13	0	0	40

पुलिस थाना : गलसी जिला : बर्दवान राज्य : पश्चिमी बंगाल

गाँव	अधिकारिता मूची संख्या	प्लॉट सं०	क्षेत्र		
			हेक्टेयर	आरे	सेंटीआरे
1	2	3	4	5	6
कोनारपुर	161	2930	0	3	53
		3029	0	4	21
		2908	0	2	28
		2907	0	1	79
		2909	0	1	27
		3030	0	0	64
		2910	0	1	59
		2911	0	0	34
		2912	0	7	17
		2913	0	0	50
		2914	0	1	11
		1195	0	8	7
		1200	0	5	88
		1188	0	8	15
		1203	0	2	51
		1204	0	3	90
		1205	0	1	71
		378	0	3	34
		331	0	7	98
		332	0	14	52
		333	0	1	21
		334	0	0	1
		335	0	11	70
		336	0	17	59
		337	0	0	4

1	2	3	4	5	6
		338	0	3	90
		339	0	14	14
		345	0	0	96
		362	0	3	31
		361	0	11	52
		360	0	4	49
		359	0	5	37
		354	0	10	97
		355	0	7	25
		356	0	0	19
		989	0	0	64
बेलगाँव	152	2376	0	8	39
		2165	0	3	6
		2162	0	10	30
		3766	0	7	80
		3767	0	4	18
		3765	0	7	24
		3764	0	10	34
		3752	0	8	35
		3750	0	0	21
		3751	0	6	6
		4044	0	0	97
		3748	0	0	2
		3749	0	9	47
		3743	0	3	41
		3689	0	0	97
		3690	0	2	81
		3691	0	0	36
		3692	0	3	17

1	2	3	4	5	6
		4105	0	0	1
		3697	0	2	51
		3696	0	0	56
		3664	0	9	44
		3712	0	0	86
		3713	0	0	84
		3714	0	1	57
		3663	0	3	55
		3662	0	2	78
		3595	0	0	1
		3715	0	7	52
		3716	0	4	52
		3717	0	0	77
		4329	0	1	49
		3572	0	16	43
		4323	0	1	95
		3573	0	1	95
		4325	0	0	16
		3567	0	7	94
		3574	0	1	11
		4324	0	0	89
		3511	0	6	12
		3510	0	5	85
		3516	0	0	9
		3520	0	0	1
		3508	0	5	85
		3507	0	0	45
		3506	0	0	63
		3401	0	9	68

1	2	3	4	5	6
		3402	0	1	18
		3403	0	6	34
		3417	0	7	36
		3415	0	0	10
		3418	0	1	54
		3419	0	2	32
		3421	0	2	6
		3427	0	0	99
		3423	0	1	95
		3422	0	5	43
		3170	0	0	21
		3169	0	3	20
		3168	0	2	54
		3174	0	2	97
		3175	0	2	43
		3173	0	6	89
		3182	0	5	80
		3183	0	2	91
		3180	0	2	31
		3181	0	1	12
		3197	0	0	29
		3196	0	4	43
		3195	0	4	58
		3193	0	13	27
सतीनंदी	149	1717	0	23	99
		1714	0	2	28
		1716	0	3	80
		6118	0	9	93
		1722	0	2	73

1	2	3	4	5	6
		1723	0	16	52
		1792	0	9	0
		1793	0	8	54
		2018	0	7	94
		2020	0	0	42
		2016	0	2	78
		2043	0	2	78
		6170	0	7	50
		2045	0	1	30
		2046	0	3	32
		6171	0	7	4
		6173	0	0	63
		2049	0	3	29
		2054	0	3	12
		6172	0	2	81
		2050	0	0	1
		2062	0	3	90
		2052	0	2	83
		1965	0	0	24
		2063	0	5	33
		2064	0	3	45
		2065	0	1	4
		2066	0	4	82
		2067	0	0	1
		1947	0	0	21
		2096	0	8	15
		2097	0	1	63
		2141	0	0	1
		2143	0	0	39

1	2	3	4	5	6
		2146	0	3	95
		2144	0	1	88
		2147	0	3	20
		2138	0	0	1
		2148	0	3	6
		2149	0	1	78
		2127	0	1	33
		2150	0	3	66
		1930	0	3	84
		2171	0	4	59
		2172	0	3	26
		2169	0	0	83
		2168	0	0	8
		2166	0	2	10
		2173	0	7	40
		2165	0	0	17
		2164	0	3	6
		2163	0	2	13
		2189	0	1	9
		4051	0	1	4
		4049	0	1	38
		4052	0	0	9
		4046	0	8	47
		4045	0	0	98
		4044	0	2	44
		4043	0	1	78
		4331	0	1	85
		4042	0	3	82
		4034	0	0	4

1	2	3	4	5	6
		4036	0	0	66
		4035	0	2	81
		4037	0	2	9
		3998	0	0	78
		4001	0	0	30
		4003	0	4	3
		4002	0	1	62
		4004	0	2	32
		4005	0	7	11
		4006	0	0	1
		3974	0	3	6
		3961	0	2	72
		3963	0	1	68
		3962	0	4	14
		3965	0	0	21
		3966	0	0	75
		3964	0	2	21
		3967	0	3	57
		3968	0	3	12
		3954	0	4	39
		3955	0	0	21
		3953	0	5	66
		3970	0	1	5
		3949	0	4	12
		4135	0	3	51
		4345	0	3	26
		4347	0	3	45
		4217	0	4	55
		4218	0	16	87

1	2	3	4	5	6
		4209	0	0	39
		4208	0	0	23
		4234	0	7	59
		4196	0	13	82
		4241	0	2	99
		4242	0	4	46
		5341	0	11	9
		5342	0	0	42
		5346	0	2	88
		5347	0	3	62
		5348	0	2	51
		5344	0	2	99
		5349	0	2	85
		5354	0	9	47
		5353	0	10	94
		5355	0	3	76
		5352	0	8	77
		5423	0	18	94
		5428	0	7	52
		5437	0	0	7
		5435	0	4	81
		5964	0	0	3
		5434	0	4	50
		5443	0	4	4
		4050	0	2	52
हिंदू	147	2964	0	4	60
		2963	0	1	81
		2965	0	1	81
		2966	0	0	34

1	2	3	4	5	6
		2969	0	1	38
		2978	0	0	4
		2977	0	6	5
		2976	0	6	97
		2980	0	13	99
		2982	0	3	79
		2983	0	0	2
		3000	0	0	69
		2998	0	0	97
		3001	0	3	50
		3002	0	9	5
		3003	0	0	1
		3005	0	1	2
		4472	0	4	87
		3006	0	2	76
		2910	0	7	75
		3707	0	0	1
		3011	0	3	9
		3021	0	3	34
		3019	0	1	30
		3020	0	3	34
		3027	0	0	55
		3032	0	2	78
		3111	0	0	1
		3033	0	1	3
		3034	0	2	78
		3035	0	9	75
		3108	0	2	92
		3109	0	0	25

1	2	3	4	5	6
		3104	0	4	51
		3099	0	3	4
		3100	0	3	36
		3098	0	0	24
		3095	0	2	53
		3096	0	1	29
		3703	0	1	38
		3093	0	4	6
		3092	0	8	14
		3714	0	11	14
		3527	0	17	92
		4501	0	1	4
		3526	0	5	5
		3531	0	10	39
		3593	0	3	97
		3582	0	6	4
		3592	0	0	67
		3591	0	0	1
		3584	0	12	25
		3586	0	0	2
		3587	0	1	39
		3588	0	1	95
		4510	0	3	62
		3619	0	3	62
		3620	0	0	79
		3622	0	2	30
		3621	0	3	6
		3628	0	3	38

1	2	3	4	5	6
		3629	0	5	38
		3631	0	5	57
		3632	0	0	28
		3633	0	5	96
चान्ना	146	1	0	25	8
		14	0	12	97
		4	0	1	46
		6	0	0	20
		5	0	11	47
		37	0	11	73
		32	0	0	17
		31	0	14	80
		90	0	6	54
		89	0	1	63
		91	0	0	42
		92	0	14	5
		94	0	6	13
		93	0	0	1
		381	0	0	70
		100	0	22	9
		115	0	0	52
		113	0	2	17
		116	0	1	95
		117	0	0	2
		423	0	3	74
		123	0	2	33
		124	0	8	98
		122	0	2	45
		417	0	0	74

1	2	3	4	5	6
		422	0	5	40
		132	0	0	46
		2228	0	12	97
		2226	0	0	28
		2227	0	2	82
		2225	0	2	15
		2222	0	0	6
		2223	0	1	64
		2217	0	1	49
		2216	0	6	34
		2239	0	0	37
		2240	0	0	15
		2215	0	0	70
		2241	0	5	38
		2242	0	1	0
		2244	0	0	51
		2243	0	11	32
		2385	0	10	55
		2384	0	2	78
		2389	0	0	78
		2391	0	2	68
		2392	0	5	14
		2431	0	9	79
		2393	0	0	3
		2433	0	0	75
		2430	0	4	44
		2428	0	1	30
		2429	0	10	16
		2809	0	0	42

1	2	3	4	5	6
		2421	0	0	70
		2522	0	7	52
		2513	0	6	24
		2515	0	4	11
		2514	0	0	84
		2531	0	4	12
		2532	0	0	17
		2529	0	5	57
		2537	0	1	14
		2528	0	8	80
		2527	0	4	42
		2544	0	2	56
		2545	0	0	92
		2567	0	12	50
		2813	0	5	55
		2811	0	4	83
		2812	0	4	60
		4240	0	1	16
		4241	0	3	55
		4242	0	0	46
		4243	0	4	27
		4246	0	0	32
		4245	0	4	32
		4248	0	0	23
		4250	0	2	9
		4255	0	2	3
		4252	0	2	14
		4253	0	2	24

1	2	3	4	5	6
		4307	0	4	41
		4303	0	0	62
		4306	0	2	60
		4308	0	0	5
		4304	0	0	82
		4305	0	1	11
		4309	0	0	70
		4310	0	0	84
		4500	0	3	3
		4318	0	21	85
		2236	0	13	12
शंकराय	145	224	0	23	47
		225	0	0	19
		226	0	7	52
		227	0	0	81
		229	0	0	1

पुलिस थाना : ओशग्राम		जिला : बर्दवान	राज्य : पश्चिमी बंगाल		
गाँव	आधिकारिक सूची संख्या	प्लॉट सं.	क्षेत्र हेक्टेयर	आरे	सेंटीआरे
1	2	3	4	5	6
करनजी	176	1614	0	11	70
		1613	0	9	75
		1612	0	8	45
		1611	0	1	65
		1610	0	2	23
		1151	0	2	95
		1152	0	0	95
		1153	0	2	54
		1154	0	2	84
		1155	0	12	14
		1148	0	12	79
		1147	0	0	5
		1145	0	0	33
		1082	0	2	17
		1100	0	2	40
		1072	0	2	51
		1071	0	0	5
		1074	0	6	39
		1064	0	3	18
		1063	0	4	36
		1061	0	1	81
		1150	0	0	33
		1067	0	0	7

पुलिस थाना : भतर		जिला : बर्दवान	राज्य : पश्चिमी बंगाल		
गाँव	आधिकारिता सूची संख्या	प्लॉट सं०	क्षेत्र		
			हेक्टेयर	आरे	सेंटीआरे
1	2	3	4	5	6
ओरग्राम	11	13402	0	5	94
		13403	0	3	27
		13404	0	10	39
		13405	0	0	28
		13406	0	1	98
		13416	0	0	14
		13407	0	5	6
		13408	0	2	48
		13411	0	5	20
		13390	0	5	22
		13391	0	8	8
		13860	0	7	24
		13374	0	6	68
		13373	0	5	1
		13371	0	1	79
		13370	0	10	2
		13363	0	0	25
		1316	0	3	8
		1315	0	3	62
		1314	0	0	49
		1313	0	5	85

1	2	3	4	5	6
		1306	0	16	15
		1155	0	21	16
		1156	0	17	26
		1151	0	0	4
		1152	0	0	7
		1143	0	0	98
		1139	0	8	45
		1137	0	0	1
		1136	0	3	53
		1125	0	7	27
		1126	0	0	42
		1128	0	3	28
		1129	0	8	47
		1107	0	3	34
		1106	0	2	97
		1105	0	5	20
		1329	0	4	4
		1328	0	1	32
		1071	0	11	91
		1007	0	20	98
		973	0	12	14
		974	0	6	37
		983	0	0	14
		981	0	8	15
		982	0	8	22
		955	0	24	9
		953	0	0	1

1	2	3	4	5	6
		954	0	4	87
		770	0	12	16
		15656	0	0	9
		619	0	20	61
		612	0	0	70
		611	0	9	91
		607	0	0	4
		608	0	6	22
		600	0	4	4
		602	0	8	70
		601	0	6	82
		634	0	0	6
		635	0	11	7
		638	0	2	2
		637	0	2	97
		636	0	0	8
		642	0	2	88
		641	0	0	2
		15689	0	5	10
		15688	0	6	31
		15687	0	6	68
		15686	0	4	36
		15684	0	1	49
		896	0	2	37
		15663	0	0	1
		247	0	8	21
		266	0	4	39

1	2	3	4	5	6
		250	0	1	36
		251	0	14	6
		252	0	10	58
		198	0	16	22
		187	0	6	54
		186	0	5	57
		95	0	0	70
		97	0	9	12
		96	0	0	1
		77	0	2	19
		101	0	1	81
		75	0	0	52
		68	0	7	84
		69	0	0	23
		67	0	3	6
		66	0	0	31
		65	0	5	1
		859	0	2	51
		182	0	0	35
		74	0	2	16
		185	0	0	5
		325	0	6	33

[फा. सं. आर.—31015/1/96—ओ. आर.-I(पार्ट-II)]

के. सी. कटोच, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 14th January, 1997

S.O. 145.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 1478, dated the 25th May, 1996, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines for the transport of crude from Haldia, in the State of West Bengal to Barauni, in the State of Bihar;

And whereas, the copies of the said notification were made available to the public on the 10th July, 1996;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by the sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And, further, in exercise of the powers conferred by the sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, in the Indian Oil Corporation Limited free from all encumbrances.

Cont'd....2/-

Schedule

Police Station: Raina District: Burdwan State: West Bengal.

Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Kamarhati	174	247	0	15	7
		249	0	6	64
		437	0	5	53
		272	0	1	35
		271	0	3	46
		265	0	1	12
		273	0	7	8
		425	0	6	72
		264	0	0	32
		426	0	2	41
		427	0	16	20
		428	0	10	95
		406	0	0	61
		3075	0	4	75
		3074	0	10	24
		3076	0	0	60
		3072	0	1	68
		3070	0	1	50
		3071	0	2	97
		3065	0	2	95
		3066	0	2	74
		3067	0	0	45
		3062	0	9	24
		3098	0	1	16

1	2	3	4	5	6
		3099	0	26	67
		3100	0	0	9
		3776	0	1	27
		3770	0	4	0
		3102	0	6	2
		3103	0	4	45
		3791	0	1	15
		3140	0	11	50
		3141	0	3	31
		3143	0	19	95
		3136	0	1	80
		3135	0	3	16
		3132	0	4	28
		3133	0	4	39
		3453	0	10	85
		3454	0	5	55
		3445	0	3	78
		3455	0	2	22
		3444	0	8	40
		3473	0	1	90
		3435	0	5	56
		3493	0	5	72
		3495	0	0	70
		3497	0	2	64
		3525	0	6	12
		3524	0	6	64

1	2	3	4	5	6
		3523	0	6	55
		3451	0	5	32
		3522	0	4	43
		3520	0	10	72
		3539	0	0	50
		3541	0	13	64
		3678	0	0	58
		3677	0	11	31
		3676	0	0	34
		3675	0	8	56
		3695	0	0	62
		3697	0	0	37
		3696	0	3	82
		3698	0	4	88
		3699	0	6	38
		3707	0	7	24
		3706	0	1	16
		3709	0	6	62
		3710	0	2	31
		3716	0	3	44
		3715	0	1	27
		3714	0	3	15
		3713	0	7	52
		3730	0	0	31
		3731	0	9	78
		3733	0	14	18
		196	0	7	14
		194	0	13	82
		192	0	5	34

1	2	3	4	5	6
		193	0	0	97
		191	0	9	19
		168	0	13	74
		161	0	0	12
		3130	0	9	80
		164	0	0	14
		165	0	7	64
		163	0	0	18
		137	0	14	1
		134	0	12	71
		135	0	1	20
		99	0	0	27
		98	0	16	16
		94	0	0	23
		96	0	7	56
		88	0	13	78
		87	0	4	64
		86	0	1	78
		85	0	4	80
		78	0	6	68
		79	0	10	72
		8	0	10	30
		9	0	9	19
		10	0	7	80
		12	0	6	41
		439	0	4	96

1	2	3	4	5	6
		2	0	5	98
		443	0	0	8
		3433	0	22	27
Kongerpur	186	218	0	5	76
		833	0	9	25
		205	0	0	22
		206	0	3	90
		207	0	3	34
		208	0	3	71
		209	0	0	75
		210	0	1	67
		202	0	7	25
		212	0	0	24
Lohai	185	3107	0	4	18
		3108	0	8	91
		3105	0	0	1
		3104	0	25	61
		3083	0	6	68
		3084	0	5	85
		3085	0	9	46
		3088	0	6	68
		3087	0	7	69
		3034	0	0	14
		3140	0	8	7
		3032	0	3	34
		3033	0	4	3
		3031	0	0	21
		3030	0	0	1

1	2	3	4	5	6
		3015	0	9	84
		3016	0	6	13
		3018	0	1	11
		3017	0	2	71
		3000	0	3	0
		3709	0	9	4
		3001	0	8	77
		3002	0	8	77
		3712	0	6	12
		2979	0	12	25
		2960	0	20	61
		2927	0	0	28
		2926	0	7	24
		2925	0	7	80
		2924	0	10	86
Madhabdihi	184	853	0	11	70
		949	0	16	15
		950	0	7	51
		954	0	1	75
		970	0	13	80
		969	0	2	25
		968	0	0	16
		963	0	12	25
		964	0	0	1
		961	0	8	17
Alampur	183	1356	0	3	61
		1355	0	0	1
		1352	0	1	61
		1346	0	5	80

1	2	3	4	5	6
		1345	0	1	86
		1419	0	7	80
		1344	0	5	88
		1126	0	1	25
		1128	0	6	95
		1134	0	0	85
		1135	0	0	78
		1133	0	0	68
		1132	0	0	47
		1131	0	3	90
		1130	0	6	26
		1391	0	3	88
		1137	0	0	7
		1138	0	3	75
		1140	0	3	90
		1043	0	5	48
		1044	0	6	89
		1038	0	2	30
		1037	0	0	17
		1038/1421	0	2	51
		1039	0	1	76
		1040	0	0	9
		1036	0	3	34
		1032	0	5	71
		1031	0	0	42
		967	0	2	55
		968	0	8	26
		965	0	8	79

1	2	3	4	5	6
		972	0	1	14
		973	0	5	29
		980	0	3	60
		981	0	3	62
		982	0	0	83
		983	0	3	55
		984	0	3	41
		985	0	0	21
		986	0	2	90
		942	0	2	78
		941	0	2	30
		929	0	0	1
		930	0	1	73
		931	0	0	13
		938	0	2	99
		937	0	2	17
		939	0	0	1
		1378	0	3	6
		1379	0	2	99
		871	0	0	64
		872	0	2	66
		860	0	20	35
		877	0	18	75
		878	0	1	30
		819	0	8	89
		818	0	3	27
		807	0	8	85
		808	0	4	23
		809	0	7	0

1	2	3	4	5	6
		811	0	0	56
		814	0	9	74
		815	0	8	91
		812	0	0	1
		1392	0	1	50
		971	0	0	1
		934	0	0	12
		935	0	0	11
		817	0	0	2
		1354	0	10	21
Jot Raghob	180	808	0	6	33
		807	0	0	70
		787	0	4	16
		788	0	6	59
		789	0	5	8
		790	0	0	37
		760	0	7	89
		759	0	3	45
		758	0	12	74
		762	0	2	55
		763	0	7	1
		751	0	30	9
		756	0	0	1
		750	0	2	81
		731	0	9	25
		733	0	9	95
		725	0	2	9
		682	0	4	46
		683	0	16	43

1	2	3	4	5	6
		685	0	3	6
		681	0	0	19
		673	0	3	74
		1033	0	1	36
		476	0	6	13
		603	0	5	57
		604	0	0	2
		607	0	1	62
		474	0	4	64
		473	0	6	13
		614	0	3	90
		460	0	10	1
		459	0	8	21
		458	0	6	58
		752	0	0	6
		734	0	0	1
		671	0	8	16
Chakbasautabati	181	25	0	17	43
		26	0	0	98
		23	0	12	81
		22	0	4	27
		31	0	5	64
		13	0	7	34
		14	0	8	49
		20	0	0	28
		15	0	12	67

1	2	3	4	5	6
		17	0	0	17
		16	0	3	89
Dharan	124	4780	0	6	41
		4781	0	4	3
		4779	0	2	30
		4776	0	4	83
		4777	0	0	98
		4775	0	6	50
		4581	0	27	84
		4583	0	0	83
		4582	0	1	94
		4579	0	12	25
		4577	0	3	48
		4885	0	2	51
		4605	0	15	97
		4430	0	9	65
		4431	0	7	43
		4429	0	6	77
		4411	0	0	37
		4412	0	10	58
		4414	0	13	9
		4409	0	0	1
		4416	0	4	27
		4417	0	4	83
		4418	0	10	86
		4419	0	1	6
		4390	0	6	68
		4394	0	3	6
		4389	0	0	1

1	2	3	4	5	6
		4388	0	5	92
		4386	0	11	14
		4385	0	11	55
		4384	0	2	92
		4383	0	1	67
		4377	0	1	54
		4374	0	2	36
		4397	0	0	98
		4373	0	7	52
		4344	0	12	53
		4345	0	6	68
		4343	0	6	96
		4351	0	4	4
		4352	0	3	90
		4354	0	9	47
		3745	0	4	18
		3746	0	6	68
		3744	0	3	90
		3741	0	7	24
		3739	0	0	1
		3742	0	0	83
		3734	0	7	66
		4934	0	3	6
		3733	0		22
		3732	0	8	62
		3731	0	3	83
		1421	0	1	81
		1407	0	4	73

1	2	3	4	5	6
		1408	0	0	98
		1414	0	2	72
		1412	0	6	5
		1409	0	6	41
		1410	0	7	71
		1390	0	1	49
		1389	0	5	29
		1388	0	7	24
		2985	0	3	6
		1387	0	5	57
		1385	0	10	68
		631	0	0	21
		630	0	10	48
		629	0	13	92
		615	0	1	67
		627	0	15	78
		626	0	2	42
		618	0	0	34
		620	0	7	24
		624	0	13	92
		621	0	0	1
		622	0	18	38
		474	0	0	83
		473	0	9	28
		472	0	2	22
		476	0	1	50
		471	0	2	16
		478	0	5	47
		477	0	0	1

1	2	3	4	5	6
		479	0	9	65
		480	0	6	50
		481	0	8	35
		425	0	9	84
		424	0	2	4
		423	0	8	35
		422	0	6	50
		420	0	4	31
		421	0	5	1
		417	0	3	36
		341	0	6	22
		342	0	6	13
		343	0	0	21
		344	0	11	66
		351	0	0*	40
		350	0	2	60
		345	0	0	42
		349	0	3	34
		355	0	0	37
		328	0	6	87
		357	0	2	32
		327	0	8	17
		322	0	8	34
		321	0	0	1
		323	0	4	64
		317	0	0	23
		324	0	0	2
		316	0	5	1

1	2	3	4	5	6
		315	0	0	56
		298	0	0	58
		299	0	4	63
		300	0	5	63
		301	0	11	86
		302	0	2	99
		314	0	0	20
		303	0	0	24
		294	0	0	28
Baithari	66	695	0	9	86
		691	0	6	13
		692	0	7	74
		694	0	4	82
		774	0	2	82
		681	0	9	55
		677	0	14	33
		380	0	0	1
		678	0	0	2
		379	0	2	23
		378	0	7	85
		376	0	6	82
		375	0	1	46
		368	0	6	16
		377	0	2	78
Udgarah	67	1476	0	7	17
		1474	0	7	5
		969	0	1	95

1	2	3	4	5	6
		970	0	4	86
		971	0	7	65
		972	0	1	67
		973	0	6	13
		956	0	0	37
		980	0	1	38
		919	0	7	56
		921	0	0	30
		922	0	6	54
		927	0	10	9
		928	0	0	40
		926	0	2	21
		930	0	1	85
		903	0	15	83
		902	0	2	34
		900	0	9	24
		899	0	4	4
		898	0	3	27
		1496	0	8	7
		1493	0	3	71
		1494	0	2	82
		1495	0	14	91
Bajitpur	60	790	0	3	42
		789	0	14	85
		533	0	5	22
		534	0	0	86
		545	0	5	30

1	2	3	4	5	6
		544	0	9	80
		532	0	0	76
		505	0	5	14
		506	0	0	32
		504	0	11	0
		498	0	12	95
		491	0	2	55
		507	0	0	9
		486	0	2	60
		490	0	7	24
		489	0	0	1
		487	0	16	90
		474	0	7	24
		473	0	6	48
		470	0	6	68
		469	0	8	90
		468	0	0	1
		427	0	0	1
		426	0	10	58
		425	0	4	99
		424	0	1	46
Bora	57	468	0	0	12
Ujirhati	58	409	0	3	71
		408	0	1	66
		407	0	3	89
		404	0	0	1
		403	0	0	60
		402	0	3	6
		400	0	8	0

1	2	3	4	5	6
		331	0	3	62
		332	0	0	83
		330	0	8	42
		328	0	18	94
		142	0	10	85
		144	0	4	25
		145	0	1	50
		112	0	11	70
		113	0	0	58
		111	0	7	52
		109	0	0	1
		110	0	9	40
		101	0	0	1
		104	0	0	32
		103	0	5	26
		84	0	2	66
		82	0	7	5
		72	0	1	88
		73	0	6	26
		75	0	7	80
		76	0	3	34
		41	0	11	32
		40	0	0	14
		14	0	5	38
		15	0	10	65
		11	0	9	19
		10	0	5	20

1	2	3	4	5	6
		9	0	5	2
		8	0	4	73
		7	0	0	98
		6	0	12	38
		5	0	2	51
		415	0	8	35
		83	0	3	22
Kona Krishnapur	56	258	0	3	48
		257	0	0	1
		259	0	9	65
		285	0	0	74
		260	0	0	1
		253	0	5	18
		252	0	9	56
		250	0	6	75
		249	0	3	48
Mogalmari	59	766	0	5	56
		767	0	5	95
		765	0	10	37
		764	0	6	62
		752	0	1	12
		753	0	5	15
		750	0	1	46
		754	0	12	25
		755	0	1	88
		737	0	12	25
		736	0	3	43
		735	0	10	45
		730	0	0	12

1	2	3	4	5	6
		729	0	7	63
		727	0	1	50
		709	0	8	9
		728	0	0	9
		722	0	5	28
		721	0	2	50
		718	0	2	78
		717	0	2	73
		716	0	0	5
		711	0	2	78
		710	0	4	25
		708	0	0	84
		164	0	10	85
		163	0	0	97
		168	0	0	41
		169	0	7	38
		170	0	0	83
		180	0	8	77
		178	0	8	91
		176	0	0	62
		177	0	5	1
		77	0	3	90
		78	0	7	87
		72	0	13	56
		67	0	7	61
		68	0	1	4
		69	0	2	59
		64	0	1	11
		63	0	1	67

1	2	3	4	5	6
		59	0	0	1
		60	0	0	12
		62	0	0	70
		28	0	6	40
		27	0	1	5
		33	0	4	45
		34	0	0	70
		12	0	0	1
		4	0	9	33
		3	0	3	34
Sehara	55	2996	0	35	10
		2998	0	0	1
		2934	0	0	56
		2936	0	13	12
		2938	0	5	85
		2926	0	1	98
		2925	0	5	42
		2923	0	6	64
		2924	0	0	1
		2905	0	0	45
		2907	0	3	84
		2908	0	0	35
		2909	0	0	51
		2906	0	1	40
		2900	0	16	28
		2910	0	0	2
		2800	0	11	25
		2801	0	5	8

1	2	3	4	5	6
		2799	0	6	36
		2803	0	4	21
		2789	0	7	53
		2788	0	2	12
		2809	0	2	59
		2785	0	9	92
		2784	0	8	34
		2752	0	0	1
		2750	0	5	46
		2782	0	3	76
		2760	0	0	28
		2754	0	8	17
		2757	0	7	43
		2758	0	6	38
		2660	0	3	80
		2659	0	6	83
		2658	0	3	93
		2664	0	0	20
		2665	0	3	67
		2667	0	5	22
		2657	0	0	88
		2596	0	0	16
		2584	0	10	97
		2595	0	2	62
		2594	0	1	30
		2585	0	7	97
		2592	0	0	14
		2586	0	0	1
		2591	0	1	76
		2588	0	5	14
		2574	0	3	83
		2937	0	0	2

Police Station: Khandaghosh District: Burdwan State : West Bengal

Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Bara Gopinathpur	102	281	0	1	71
		284	0	5	7
		280	0	1	12
		288	0	11	37
		291	0	0	88
		290	0	5	85
		289	0	4	92
		274	0	17	26
		272	0	0	92
		220	0	9	75
		221	0	1	54
		222	0	5	57
		223	0	0	92
		224	0	10	44
		225	0	0	70
		209	0	1	22
		208	0	2	41
		187	0	5	96
		188	0	8	11
		186	0	0	81
		189	0	13	81
		190	0	6	80
		191	0	0	21
		166	0	11	95
		1587	0	7	16

1	2	3	4	5	6
		1588	0	6	96
		1584	0	3	2
		1583	0	4	21
		1582	0	7	33
		1591	0	0	76
		1592	0	2	30
		1593	0	0	28
		1581	0	13	50
		1382	0	12	90
		1384	0	0	74
		1385	0	2	45
		1401	0	3	76
		1400	0	4	50
		1386	0	1	95
		1388	0	7	80
		1387	0	6	95
		1389	0	0	13
		1390	0	5	60
		1247	0	1	40
		1244	0	16	27
		1243	0	1	86
		1259	0	14	23
		1242	0	0	63
		1260	0	15	7
		1264	0	1	73

1	2	3	4	5	6
		1266	0	2	88
		1265	0	0	62
		1267	0	3	61
		1268	0	0	35
		1269	0	3	91
		1270	0	2	90
		1271	0	0	22
		1274	0	0	5
		1275	0	5	50
		1276	0	8	5
		1277	0	4	57
		1279	0	2	92
		1280	0	3	73
Sunia	91	938	0	1	15
		932	0	1	15
		929	0	1	51
		939	0	7	14
		927	0	0	7
		926	0	8	65
		918	0	9	70
		919	0	15	26
		913	0	3	78
		912	0	5	42
		911	0	0	34
		910	0	3	9

1	2	3	4	5	6
		909	0	21	23
		934	0	3	86
Jarul	92	791	0	2	34
		774	0	1	91
		773	0	6	50
		772	0	7	68
		768	0	1	76
		765	0	8	35
		759	0	7	80
		764	0	7	24
		763	0	1	78
		762	0	1	17
		151	0	6	1
		152	0	0	64
		150	0	0	1
		149	0	2	9
		148	0	7	73
		146	0	1	62
		147	0	8	58
		139	0	8	72
		140	0	5	90
		43	0	5	99
		42	0	0	47
		44	0	10	41
		41	0	0	90
		45	0	0	9
		47	0	14	97
		27	0	0	13
		26	0	1	43

1	2	3	4	5	6
		9	0	20	38
		10	0	6	13
		13	0	0	70
		16	0	0	47
		12	0	7	10
		15	0	0	70
		1	0	0	1
		19	0	1	30
Taraposh	81	1008	0	14	90
		1009	0	26	71
		1013	0	1	38
		983	0	0	17
		982	0	1	70
		981	0	5	78
		1019	0	2	51
		980	0	5	42
		978	0	3	32
		977	0	6	58
		880	0	3	81
		881	0	7	21
		882	0	0	21
		877	0	1	4
		876	0	5	46
		875	0	5	51
		1171	0	8	9
		887	0	0	56
		886	0	3	91
		836	0	9	65
		843	0	0	52

1	2	3	4	5	6
		842	0	4	12
		844	0	1	13
		841	0	6	80
		837	0	0	14
		838	0	6	98
		839	0	0	31
		1188	0	5	22
		1196	0	5	20
		799	0	6	11
		798	0	0	3
		793	0	3	16
		797	0	1	78
		219	0	7	69
		795	0	0	42
		220	0	4	27
		223	0	0	81
		222	0	11	38
		213	0	6	70
		210	0	1	75
		201	0	12	82
		202	0	4	18
		200	0	3	51
		199	0	3	34
		167	0	2	65
		168	0	1	81
		169	0	8	73
		170	0	2	37
		37	0	3	47
		38	0	7	18

1	2	3	4	5	6
		36	0	6	18
		27	0	4	8
		28	0	10	58
		1153	0	4	27
		1	0	8	58
		979	0	0	52
		796	0	0	1
		1073	0	14	10
		840	0	0	35
Jubila	76	6570	0	3	6
		6572	0	12	80
		6573	0	2	22
		6533	0	4	3
		6534	0	4	87
		6535	0	0	1
		6532	0	6	68
		5770	0	0	21
		5767	0	10	30
		5766	0	11	13
		5764	0	3	34
		5755	0	10	2
		5756	0	5	56
		5757	0	2	32
		5750	0	5	90
		5736	0	5	56
		5687	0	8	70
		5681	0	0	1
		5682	0	1	40
		5683	0	6	89

1	2	3	4	5	6
		5684	0	6	7
		5685	0	5	69
		5686	0	4	61
		5675	0	12	80
		5673	0	8	91
		5672	0	6	26
		4736	0	15	67
		4711	0	1	12
		4726	0	3	90
		4712	0	11	2
		4725	0	4	8
		4714	0	0	1
		4724	0	4	45
		4715	0	2	78
		4703	0	0	37
		4702	0	4	73
		6569	0	0	1
		6513	0	0	55
		6517	0	8	91
		6512	0	7	70
		6514	0	6	47
		6852	0	0	37
Alladipur	82	1380	0	1	85
		209	0	0	46
		186	0	1	90
		183	0	3	69
		184	0	1	40
		182	0	0	95
		185	0	7	86

1	2	3	4	5	6
		179	0	10	45
		178	0	7	40
		177	0	0	27
		147	0	8	21
		148	0	6	12
		132	0	0	62
		133	0	8	72
		136	0	0	9
		134	0	2	87
		210	0	15	31
Krishnapur Kukra 83		301	0	7	24
		293	0	9	46
		291	0	7	93
		290	0	6	54
		289	0	0	1
		288	0	1	4
		287	0	5	71
		286	0	1	76
		277	0	0	97
		246	0	8	63
		247	0	10	9
		245	0	0	1
		239	0	6	22
		233	0	3	48
		235	0	3	13
		234	0	10	48

1	2	3	4	5	6
		284	0	0	81
Alma Khager	71	130	0	6	12
		129	0	6	56
		127	0	4	87
		126	0	1	9
		125	0	0	1
Shankari	70	7168	0	9	75
		7171	0	3	53
		7190	0	10	94
		7169	0	1	62
		7191	0	1	42
		7170	0	6	60
		7155	0	13	63
		7150	0	0	12
		7149	0	6	68
		7148	0	5	75
		7147	0	0	81
		7204	0	12	36
		7086	0	10	2
		7087	0	6	21
		7089	0	9	47
		7070	0	0	83
		7091	0	5	29
		7092	0	5	1
		7100	0	1	67
		7099	0	4	73
		7095	0	1	11
		7098	0	13	23
		7032	0	11	56

1	2	3	4	5	6
		7031	0	0	21
		7030	0	12	7
		7029	0	8	63
		7028	0	10	72
		6975	0	1	13
		6976	0	13	65
		6979	0	3	90
		6978	0	5	71
		6980	0	4	18
		6981	0	2	32
		6970	0	0	47
		6969	0	3	11
		6982	0	1	55
		6983	0	9	79
		7247	0	0	72
		6984	0	4	8
		6426	0	10	21
		6425	0	0	51
		6423	0	5	6
		6424	0	2	51
		6421	0	6	99
		8141	0	0	1
		8165	0	4	8
		6420	0	3	89
		6410	0	6	83
		6408	0	3	53
		6407	0	0	50
		6409	0	0	47
		6381	0	8	35

1	2	3	4	5	6
		6382	0	0	83
		6031	0	4	83
		6033	0	0	1
		6035	0	5	19
		6036	0	8	28
		6037	0	4	5
		6025	0	0	64
		6024	0	5	43
		6019	0	0	42
		6021	0	1	95
		6022	0	7	10
		6017	0	4	73
		6016	0	5	1
		6005	0	7	62
		1228	0	2	4
		1207	0	5	10
		1205	0	5	41
		1206	0	0	11
		1208	0	0	98
		1202	0	0	9
		1199	0	9	19
		1198	0	0	42
		1197	0	2	34
		1196	0	2	85
		1195	0	0	83
		845	0	2	92
		846	0	3	90
		847	0	0	28

1	2	3	4	5	6
		851	0	7	52
		850	0	0	1
		852	0	10	58
		855	0	7	5
		856	0	4	41
		864	0	3	71
		857	0	0	3
		862	0	1	21
		863	0	3	13
		561	0	6	41
		560	0	5	1
		559	0	5	1
		564	0	0	56
		543	0	6	13
		540	0	9	24
		542	0	0	1
		541	0	0	79
		539	0	0	1
		537	0	3	6
		538	0	3	16
		531	0	10	68
		530	0	5	85
		521	0	0	35
		522	0	3	81
		435	0	3	29
		430	0	2	21
		433	0	2	65
		436	0	8	82

1	2	3	4	5	6
		437	0	7	53
		419	0	5	46
		420	0	2	31
		418	0	6	50
		417	0	0	1
		415	0	4	58
		394	0	1	32
		395	0	2	27
		396	0	6	95
		397	0	1	1
		376	0	6	39
		375	0	4	4
		183	0	5	1
		192	0	0	1
		184	0	0	1
		181	0	5	56
		190	0	2	32
		197	0	0	14
		189	0	5	24
		78	0	3	31
		88	0	4	87
		89	0	1	74
		87	0	5	94
		84	0	5	43
		83	0	8	35
		434	0	5	86
		424	0	0	98
		421	0	9	12
		422	0	3	13

1	2	3	4	5	6
		419	0	4	73
		418	0	0	1
		417	0	4	46
		415	0	1	25
		416	0	3	75
		408	0	0	47
		407	0	0	70
		406	0	6	8
		405	0	0	14
		404	0	2	23
		403	0	1	81
		402	0	0	21
		389	0	2	23
		388	0	3	44
		366	0	0	97
		387	0	0	47
		383	0	1	95
		384	0	2	65
		385	0	3	34
		379	0	0	47
		378	0	1	2
		373	0	1	67
		377	0	1	56
		479	0	2	6
		308	0	0	60
		307	0	1	86
		306	0	9	45
		303	0	0	1
		482	0	12	90

1	2	3	4	5	6
		264	0	2	32
		485	0	11	60
		153	0	1	60
		154	0	1	25
		155	0	1	88
		930	0	0	58
		150	0	0	56
		149	0	0	1
		161	0	2	23
		162	0	1	11
		147	0	1	17
		146	0	2	92
		145	0	1	83
		164	0	0	14
		933	0	0	6
		934	0	0	1
		165	0	1	36
		144	0	1	25
		48	0	1	85
		47	0	1	63
		49	0	0	93
		50	0	1	9
		907	0	7	80
		71	0	4	45
		870	0	0	49
		862	0	0	51
		868	0	0	53
		871	0	3	75
		944	0	1	34

1	2	3	4	5	6
		919	0	0	90
		879	0	2	45
		878	0	3	17
		880	0	1	95
		920	0	0	30
		872	0	1	39
		884	0	0	23
		873	0	0	28
		885	0	6	19
		163	0	1	6
Oania	59	183	0	2	27
		182	0	7	16
		179	0	5	9
		186	0	0	88
		187	0	0	71
		190	0	0	1
		191	0	4	50
		193	0	1	95
		194	0	2	45
		195	0	2	41
		196	0	1	62
		197	0	0	70
		199	0	4	1
		205	0	9	39
		206	0	3	44
		207	0	1	58
		209	0	7	61
		213	0	1	39
		214	0	7	7

1	2	3	4	5	6
		212	0	3	57
		100	0	3	34
		215	0	4	73
		101	0	3	62
		102	0	0	1
		99	0	14	7
		672	0	4	87
		53	0	8	7
		95	0	1	32
		96	0	0	51
		94	0	4	65
		90	0	3	44
		89	0	2	32
		86	0	1	81
		78	0	3	93
		79	0	5	38
		650	0	4	59
		75	0	7	43
		80	0	1	6
		677	0	0	34
		662	0	1	4
Krishnanagar	51	539	0	6	12
		538	0	0	51
		537	0	6	73
		3299	0	3	32
		3298	0	0	81
		2244	0	4	5
		2245	0	3	25
		535	0	0	1

1	2	3	4	5	6
		502	0	10	86
		503	0	8	90
		504	0	7	31
		505	0	0	4
		506	0	8	62
		507	0	3	12
		508	0	5	84
Sasanga	58	3247	0	0	55
		3261	0	9	11
		3262	0	13	92
		3172	0	3	6
		3167	0	7	92
		3168	0	3	57
		3169	0	6	11
		3170	0	4	90
		2375	0	4	67
		2376	0	0	48
		2374	0	0	31
		2382	0	1	33
		2383	0	0	20
		2371	0	0	86
		2402	0	8	61
		2401	0	0	1
		2413	0	4	86
		2347	0	7	79
		2414	0	7	29
		2415	0	11	0
		2416	0	0	1
		2417	0	0	10

1	2	3	4	5	6
		2420	0	9	9
		2421	0	16	3
		2423	0	0	8
		2280	0	0	8
		2424	0	0	70
		2425	0	10	1
		2259	0	8	62
		2260	0	4	34
		2261	0	0	63
		2262	0	6	12
		2263	0	6	71
		2264	0	0	8
		2249	0	7	79
		232	0	4	51
		231	0	0	46
		233	0	6	76
		236	0	1	85
		235	0	0	72
		237	0	1	67
		240	0	1	13
		241	0	0	58
		222	0	0	70
		221	0	0	91
		220	0	0	33
		242	0	0	97
		249	0	2	23
		217	0	0	20
		219	0	4	20
		248	0	3	6

1	2	3	4	5	6
		247	0	2	13
		251	0	0	1
		252	0	4	34
		253	0	1	38
		261	0	3	16
		262	0	0	1
		199	0	2	40
		200	0	0	33
		197	0	1	2
		196	0	2	34
		195	0	6	12
		81	0	4	9
		83	0	1	56
		82	0	5	84
		91	0	3	54
		92	0	2	92
		93	0	1	53
		70	0	1	67
		69	0	4	62
		72	0	0	76
		68	0	4	73
		67	0	0	32
		66	0	6	12
		65	0	4	41
		64	0	0	1
		62	0	4	82
		61	0	5	76
		60	0	1	74
		59	0	3	10

1	2	3	4	5	6
		58	0	8	27
		41	0	1	81
		37	0	6	40
		39	0	9	58
		36	0	7	9
Mashila	57	745	0	8	80
		744	0	4	73
		731	0	7	13
		732	0	4	64
		733	0	1	9
		734	0	0	1
		729	0	0	83
		728	0	2	59
		727	0	3	90
		726	0	2	11
		725	0	2	14
		719	0	0	9
		720	0	1	75
		722	0	1	95
		721	0	1	16
		706	0	0	16
		705	0	2	55
		704	0	1	94
		703	0	1	88
		693	0	1	34
		695	0	5	80
		694	0	0	4
		686	0	1	58
		687	0	1	90

1	2	3	4	5	6
		688	0	1	48
		641	0	3	6
		640	0	1	67
		608	0	11	13
		467	0	0	24
		639	0	2	34
		637	0	1	11
		466	0	3	76
		636	0	0	24
		635	0	0	1
		465	0	1	24
		464	0	0	16
		463	0	7	48
		462	0	3	13
		461	0	2	48
		609	0	0	28
		611	0	3	56
		459	0	2	41
		458	0	7	52
		451	0	1	48
		452	0	0	68
		450	0	5	36
		449	0	5	46
		448	0	0	1
		1226	0	0	16
		767	0	3	81
Napara	56	2639	0	2	88
		2640	0	2	24
		2642	0	2	55
		2643	0	2	51
		1535	0	0	24

Police Station: Burdwan District: Burdwan State : West Bengal

Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Nala.	20	3754	0	3	84
		3755	0	3	21
		3753	0	1	10
		4853	0	2	63
		3751	0	3	34
		3752	0	1	11
		3709	0	10	30
		5507	0	2	27
		3704	0	5	59
		3711	0	2	21
		3714	0	4	99
		4919	0	5	8
		3715	0	9	75
		3717	0	0	11
		4842	0	6	50
		4871	0	11	88
		12	0	6	96
		5055	0	5	10
		2506	0	2	60
		2507	0	0	70
		2500	0	6	45
		2499	0	2	97
		2498	0	6	3
		2489	0	1	95
		2486	0	2	31

1	2	3	4	5	6
		2490	0	2	56
		2480	0	0	3
		2481	0	13	9
		2465	0	9	84
		2466	0	11	79
		2413	0	0	39
		11	0	1	11
		2412	0	6	97
		2406	0	23	5
		2405	0	2	90
		2404	0	2	60
		2397	0	5	57
		2398	0	0	23
		2396	0	8	40
		2395	0	9	75
		1131	0	9	19
		1132	0	5	48
		1159	0	0	6
		1128	0	7	82
		1125	0	4	60
		1162	0	2	36
		1163	0	2	64
		5135	0	2	78
		1124	0	2	25
		1178	0	3	84
		1179	0	3	6
		1120	0	8	21
		1119	0	9	47
		1116	0	11	34

1	2	3	4	5	6
		1115	0	15	72
		1114	0	12	25
		1113	0	11	27
		82	0	6	96
		81	0	0	50
		83	0	7	85
		84	0	7	86
		85	0	1	6
		86	0	9	84
		99	0	10	38
		5115	0	1	2
		100	0	2	5
		101	0	1	36
		102	0	9	15
		65	0	12	67
		64	0	7	45
		63	0	15	12
		62	0	0	14
		37	0	9	26
		38	0	7	69
		17	0	0	28
		5140	0	14	5
		16	0	0	72
		39	0	0	95
		15	0	0	2
		14	0	13	89
		13	0	0	40

Police Station: Galsi			District: Burdwan		State : West Bengal	
Village	Jurisdiction List No.	Plot No.	Area			
			Hectares	Ares	Centiares	
1	2	3	4	5	6	
Konarpur	161	2930	0	3	53	
		3029	0	4	21	
		2908	0	2	28	
		2907	0	1	79	
		2909	0	1	27	
		3030	0	0	64	
		2910	0	1	59	
		2911	0	0	34	
		2912	0	7	17	
		2913	0	0	50	
		2914	0	1	11	
		1195	0	8	7	
		1200	0	5	88	
		1188	0	8	15	
		1203	0	2	51	
		1204	0	3	90	
		1205	0	1	71	
		378	0	3	34	
		331	0	7	98	
		332	0	14	52	
		333	0	1	21	
		334	0	0	1	
		335	0	11	70	
		336	0	17	59	
		337	0	0	4	

1	2	3	4	5	6
		338	0	3	90
		339	0	14	14
		345	0	0	96
		362	0	3	31
		361	0	11	52
		360	0	4	49
		359	0	5	37
		354	0	10	97
		355	0	7	25
		356	0	0	19
		989	0	0	64
Belgram	152	2376	0	8	39
		2165	0	3	6
		2162	0	10	30
		3766	0	7	80
		3767	0	4	18
		3765	0	7	24
		3764	0	10	34
		3752	0	8	35
		3750	0	0	21
		3751	0	6	6
		4044	0	0	97
		3748	0	0	2
		3749	0	9	47
		3743	0	3	41
		3689	0	0	97
		3690	0	2	81
		3691	0	0	35
		3692	0	3	17

1	2	3	4	5	6
		4105	0	0	1
		3697	0	2	51
		3696	0	0	56
		3664	0	9	44
		3712	0	0	86
		3713	0	0	84
		3714	0	1	57
		3663	0	3	55
		3662	0	2	78
		3595	0	0	1
		3715	0	7	52
		3716	0	4	52
		3717	0	0	77
		4329	0	1	49
		3572	0	16	43
		4323	0	1	95
		3573	0	1	95
		4325	0	0	16
		3567	0	7	94
		3574	0	1	11
		4324	0	0	89
		3511	0	6	12
		3510	0	5	85
		3516	0	0	9
		3520	0	0	1
		3509	0	5	26
		3508	0	5	85
		3507	0	0	45
		3506	0	0	63

1	2	3	4	5	6
		3401	0	9	68
		3402	0	1	18
		3403	0	6	34
		3417	0	7	36
		3415	0	0	10
		3418	0	1	54
		3419	0	2	32
		3421	0	2	6
		3427	0	0	99
		3423	0	1	95
		3422	0	5	43
		3170	0	0	21
		3169	0	3	20
		3168	0	2	54
		3174	0	2	97
		3175	0	2	43
		3173	0	6	89
		3182	0	5	80
		3183	0	2	91
		3180	0	2	31
		3181	0	1	12
		3197	0	0	29
		3196	0	4	43
		3195	0	4	58
		3193	0	13	27
satinandi	149	1717	0	23	99
		1714	0	2	28
		1716	0	3	90
		6118	0	9	93

1	2	3	4	5	6
		1722	0	2	73
		1723	0	16	52
		1792	0	9	0
		1793	0	8	54
		2018	0	7	94
		2020	0	0	42
		2016	0	2	78
		2043	0	2	78
		6170	0	7	50
		2045	0	1	30
		2048	0	3	32
		6171	0	7	4
		6173	0	0	63
		2049	0	3	29
		2054	0	3	12
		6172	0	2	81
		2050	0	0	1
		2062	0	3	90
		2052	0	2	83
		1965	0	0	24
		2063	0	5	33
		2064	0	3	45
		2065	0	1	4
		2066	0	4	82
		2067	0	0	1
		1947	0	0	21
		2096	0	8	15
		2097	0	1	63
		2141	0	0	1

1	2	3	4	5	6
		2143	0	0	39
		2146	0	3	95
		2144	0	1	86
		2147	0	3	20
		2138	0	0	1
		2148	0	3	6
		2149	0	1	78
		2127	0	1	33
		2150	0	3	66
		1930	0	3	84
		2171	0	4	59
		2172	0	3	26
		2169	0	0	83
		2168	0	0	8
		2166	0	2	10
		2173	0	7	40
		2165	0	0	17
		2164	0	3	6
		2163	0	2	13
		2189	0	1	9
		4051	0	1	4
		4049	0	1	38
		4052	0	0	9
		4046	0	8	47
		4045	0	0	98
		4044	0	2	44
		4043	0	1	78
		4331	0	1	85
		4042	0	3	82

1	2	3	4	5	6
		4034	0	0	4
		4036	0	0	66
		4035	0	2	81
		4037	0	2	9
		3998	0	0	78
		4001	0	0	30
		4003	0	4	3
		4002	0	1	62
		4004	0	2	32
		4005	0	7	11
		4006	0	0	1
		3974	0	3	6
		3961	0	2	72
		3963	0	1	68
		3962	0	4	14
		3965	0	0	21
		3966	0	0	75
		3964	0	2	21
		3967	0	3	57
		3968	0	3	12
		3954	0	4	39
		3955	0	0	21
		3953	0	5	66
		3970	0	1	5
		3949	0	4	12
		4135	0	3	51
		4345	0	3	25
		4347	0	3	45
		4217	0	4	55

1	2	3	4	5	6
		4218	0	16	87
		4209	0	0	39
		4208	0	0	23
		4234	0	7	59
		4196	0	13	82
		4241	0	2	99
		4242	0	4	46
		5341	0	11	9
		5342	0	0	42
		5346	0	2	88
		5347	0	3	62
		5348	0	2	51
		5344	0	2	99
		5349	0	2	85
		5354	0	9	47
		5353	0	10	94
		5355	0	3	76
		5352	0	8	77
		5423	0	18	94
		5428	0	7	52
		5437	0	0	7
		5435	0	4	81
		5964	0	0	3
		5434	0	4	50
		5443	0	4	4
		4050	0	2	52
हिता	147	2964	0	4	60
		2963	0	1	81
		2965	0	1	81

1	2	3	4	5	6
		2966	0	0	34
		2969	0	1	38
		2978	0	0	4
		2977	0	6	5
		2976	0	6	97
		2980	0	13	99
		2982	0	3	79
		2983	0	0	2
		3000	0	0	69
		2998	0	0	97
		3001	0	3	50
		3002	0	9	5
		3003	0	0	1
		3005	0	1	2
		4472	0	4	87
		3006	0	2	76
		2910	0	7	75
		3707	0	0	1
		3011	0	3	9
		3021	0	3	34
		3019	0	1	30
		3020	0	3	34
		3027	0	0	55
		3032	0	2	78
		3111	0	0	1
		3033	0	1	3
		3034	0	2	78
		3035	0	9	75
		3108	0	2	92

1	2	3	4	5	6
		3109	0	0	25
		3104	0	4	51
		3099	0	3	4
		3100	0	3	36
		3098	0	0	24
		3095	0	2	53
		3096	0	1	29
		3703	0	1	38
		3093	0	4	6
		3092	0	8	14
		3714	0	11	14
		3527	0	17	92
		4501	0	1	4
		3526	0	5	5
		3531	0	10	39
		3593	0	3	97
		3582	0	6	4
		3592	0	0	67
		3591	0	0	1
		3584	0	12	25
		3586	0	0	2
		3587	0	1	39
		3588	0	1	95
		4510	0	3	62
		3619	0	3	62
		3620	0	0	79
		3622	0	2	30
		3621	0	3	6
		3628	0	3	38

1	2	3	4	5	6
		3629	0	5	38
		3631	0	5	57
		3632	0	0	28
		3633	0	5	96
Channa	146	1	0	25	8
		14	0	12	97
		4	0	1	46
		6	0	0	20
		5	0	11	47
		37	0	11	73
		32	0	0	17
		31	0	14	80
		90	0	6	54
		89	0	1	63
		91	0	0	42
		92	0	14	5
		94	0	6	13
		93	0	0	1
		381	0	0	70
		100	0	22	9
		115	0	0	52
		113	0	2	17
		116	0	1	95
		117	0	0	2
		118	0	4	22
		423	0	3	74
		123	0	2	33
		124	0	8	98
		122	0	2	45

1	2	3	4	5	6
		417	0	0	74
	422	0	5	40	
	132	0	0	46	
	2228	0	12	97	
	2226	0	0	28	
	2227	0	2	82	
	2229	0	0	4	
	2225	0	2	15	
	2222	0	0	6	
	2223	0	1	64	
	2217	0	1	49	
	2216	0	6	34	
	2239	0	0	37	
	2240	0	0	15	
	2215	0	0	70	
	2241	0	5	38	
	2242	0	1	0	
	2244	0	0	51	
	2243	0	11	32	
	2385	0	10	55	
	2384	0	2	78	
	2389	0	0	78	
	2391	0	2	68	
	2392	0	5	14	
	2431	0	9	79	
	2393	0	0	3	
	2433	0	0	75	
	2430	0	4	44	
	2428	0	1	30	

1	2	3	4	5	6
		2429	0	10	16
		2809	0	0	42
		2421	0	0	70
		2522	0	7	52
		2513	0	6	24
		2515	0	4	11
		2514	0	0	84
		2531	0	4	12
		2532	0	0	17
		2529	0	5	57
		2537	0	1	14
		2528	0	8	80
		2527	0	4	42
		2544	0	2	56
		2545	0	0	92
		2567	0	12	50
		2813	0	5	55
		2811	0	4	83
		2812	0	4	60
		4240	0	1	16
		4241	0	3	65
		4242	0	0	46
		4243	0	4	27
		4246	0	0	32
		4245	0	4	32
		4248	0	0	23
		4250	0	2	9
		4255	0	2	3

1	2	3	4	5	6
		4252	0	2	14
		4253	0	2	24
		4307	0	4	41
		4303	0	0	62
		4306	0	2	60
		4308	0	0	5
		4304	0	0	82
		4305	0	1	11
		4309	0	0	70
		4310	0	0	84
		4500	0	3	3
		4318	0	21	85
		2236	0	13	12
Shankrai	145	224	0	23	47
		225	0	0	19
		226	0	7	52
		227	0	0	81
		229	0	0	1

 Police Station: Avshgram District: Burdwan State : West Bengal.

Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Karanji	176	1614	0	11	70
		1613	0	9	75
		1612	0	8	45
		1611	0	1	65
		1610	0	2	23
		1151	0	2	95
		1152	0	0	95
		1153	0	2	54
		1154	0	2	84
		1155	0	12	14
		1148	0	12	79
		1147	0	0	5
		1145	0	0	33
		1082	0	2	17
		1100	0	2	40
		1072	0	2	51
		1071	0	0	5
		1074	0	6	39
		1064	0	3	18
		1063	0	4	36
		1061	0	1	81
		1150	0	0	33
		1067	0	0	7

Police Station: Bhatar District: Burdwan State : West Bengal

Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiarons
1	2	3	4	5	6
Orgram	11	13402	0	5	94
		13403	0	3	27
		13404	0	10	39
		13405	0	0	28
		13406	0	1	98
		13416	0	0	14
		13407	0	5	6
		13408	0	2	48
		13411	0	5	20
		13390	0	5	22
		13391	0	8	8
		13860	0	7	24
		13374	0	6	68
		13373	0	5	1
		13371	0	1	79
		13370	0	10	2
		13363	0	0	25
		1316	0	3	8
		1315	0	3	62
		1314	0	0	49
		1313	0	5	85
		1306	0	16	15
		1155	0	21	16
		1156	0	17	26

1	2	3	4	5	6
		1151	0	0	4
		1152	0	0	7
		1143	0	0	98
		1139	0	8	45
		1137	0	0	1
		1136	0	3	53
		1125	0	7	27
		1126	0	0	42
		1128	0	3	28
		1129	0	8	47
		1107	0	3	34
		1106	0	2	97
		1105	0	5	20
		1329	0	4	4
		1328	0	1	32
		1071	0	11	91
		1007	0	20	98
		973	0	12	14
		974	0	6	37
		983	0	0	14
		981	0	8	15
		982	0	8	22
		955	0	24	9
		953	0	0	1
		954	0	4	87
		770	0	12	16
		15656	0	0	9
		619	0	20	61

1	2	3	4	5	6
		612	0	0	70
		611	0	9	91
		607	0	0	4
		608	0	6	22
		600	0	4	4
		602	0	8	70
		601	0	6	82
		634	0	0	6
		635	0	11	7
		638	0	2	2
		637	0	2	97
		636	0	0	6
		642	0	2	88
		641	0	0	2
		15689	0	5	10
		15688	0	6	31
		15687	0	6	68
		15686	0	4	36
		15684	0	1	49
		896	0	2	37
		15663	0	0	1
		247	0	8	21
		266	0	4	39
		250	0	1	36
		251	0	14	6
		252	0	10	58
		198	0	16	22
		187	0	6	54
		186	0	5	57

1	2	3	4	5	6
		95	0	0	70
		97	0	9	12
		96	0	0	1
		77	0	2	19
		101	0	1	81
		75	0	0	52
		68	0	7	84
		69	0	0	23
		67	0	3	6
		66	0	0	31
		65	0	5	1
		859	0	2	51
		182	0	0	35
		74	0	2	16
		185	0	0	5
		325	0	6	33

[No. R-31015/1/96—OR—I (Part II)]

K.C. KATOCH, Under Secy

नई दिल्ली, 14 जनवरी, 1997

का. आ. 146.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन [भूमि में उपयोग के अधिकारी का अर्जन] अधिनियम, 1962 [1962 का 50] [जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है] की धारा 3 की उपधारा [1] और [2] के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2657 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 31 अक्टूबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा [1] के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा [4] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : विशनापेटा

जिला : कृष्णा

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे सं०/ सब डिविजन	क्षेत्रफल			
		हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
नरसापुरम	564/2 भाग	00	20.0	00	49
	564/3 भाग	00	67.5	01	66
	552/3 भाग	00	27.0	00	67
	565 भाग	00	10.0	00	25
	621/1 भाग	00	03.0	00	07
	621/2 भाग	00	20.0	00	50
	622/7 भाग	00	04.5	00	11
	634/1 भाग	00	05.5	00	14
	634/2 भाग	00	16.0	00	39
	634/5 भाग	00	02.5	00	06
	636/3 भाग	00	01.0	00	03
	636/5 भाग	00	17.0	00	42
	638/1 भाग	00	13.0	00	32
	638/2 भाग	00	06.5	00	16
	638/3 भाग	00	00.5	00	01
	637/2 भाग	00	07.5	00	19
	637/3 भाग	00	16.0	00	39
	637/4 भाग	00	01.5	00	04
	637/5 भाग	00	09.5	00	24
ताताकुन्टा	240/1 भाग	00	10.0	00	25
	240/2 भाग	00	14.5	00	36
	240/4 भाग	00	01.5	00	04
	240/5 भाग	00	03.5	00	09
	240/6 भाग	00	07.5	00	18
	240/8 भाग	00	07.0	00	18
	240/9 भाग	00	00.5	00	01
	239/6 भाग	00	00.5	00	01
	236/3 भाग	00	00.5	00	01
	236/5 भाग	00	03.5	00	09
	236/6 भाग	00	12.0	00	30
	236/7 भाग	00	19.5	00	48
	235/1 भाग	00	14.0	00	35

(1)	(2)	(3)	(4)	(5)	(6)
ताताकुन्टा § संतत... §	235/2	भाग	00	10.5	00 26
	234/4	भाग	00	11.0	00 27
	233/5	भाग	00	04.0	00 10
	208/1	भाग	00	14.0	00 36
	228/11	भाग	00	00.5	00 01
	209/1	भाग	00	23.0	00 67
	209/2	भाग	00	00.5	00 01
	210/2	भाग	00	04.5	00 11
	210/3	भाग	00	06.0	00 14
	210/4	भाग	00	06.5	00 16
	210/5	भाग	00	05.0	00 12
	210/6	भाग	00	00.5	00 01
	211/1	भाग	00	07.0	00 17
	211/2	भाग	00	02.5	00 06
	195/1	भाग	00	07.5	00 19
	195/2	भाग	00	08.0	00 20
	195/3	भाग	00	04.5	00 11
	194/3	भाग	00	17.0	00 42
	197/1	भाग	00	28.5	00 70
	192/1	भाग	00	00.5	00 01
	192/2	भाग	00	12.5	00 31
	101	भाग	00	13.5	00 33
	139/2	भाग	00	07.0	00 17
	189/3	भाग	00	13.0	00 32
	139/2	भाग	00	26.0	00 64
	142/2	भाग	00	11.0	00 27
	142/3	भाग	00	03.0	00 07
	147/2	भाग	00	02.5	00 06
	147/3	भाग	00	17.0	00 43
	146/1	भाग	00	08.5	00 21
	146/2	भाग	00	00.5	00 01
	152/1	भाग	00	19.0	00 46
	152/2	भाग	00	14.0	00 36
	151/1	भाग	00	06.5	00 16
	151/3	भाग	00	04.0	00 10
	151/4	भाग	00	04.0	00 10
	150/5	भाग	00	01.5	00 04
	154/1	भाग	00	04.5	00 11
	154/2	भाग	00	04.5	00 11
	154/3	भाग	00	04.5	00 11
	154/4	भाग	00	24.0	00 60
	76	भाग	00	13.0	00 32

(1)	(2)	(3)	(4)	(5)	(6)
ताताकुन्टा § संतत... §	75/1	भाग	00	05.5	00 14
	75/2	भाग	00	05.5	00 13
	75/3	भाग	00	03.5	00 09
	75/4	भाग	00	03.0	00 08
	75/5	भाग	00	05.5	00 14
	75/6	भाग	00	03.0	00 07
	75/7	भाग	00	01.5	00 04
	75/8	भाग	00	00.5	00 01
	73/1B	भाग	00	05.5	00 14
	73/1C	भाग	00	14.0	00 34
	73/2A	भाग	00	03.0	00 08
	73/2B	भाग	00	02.0	00 05
	73/3	भाग	00	01.0	00 03
	67/3	भाग	00	01.5	00 04
	67/4	भाग	00	05.5	00 13
	67/5	भाग	00	01.5	00 04
	67/6	भाग	00	15.0	00 37
	64	भाग	00	20.5	00 51
विशनापेटा	18/4	भाग	00	22.5	00 55
	18/3	भाग	00	02.5	00 06
	18/1	भाग	00	21.5	00 53
	17/2	भाग	00	37.0	00 91
	19	भाग	00	04.0	00 10
	14/1	भाग	00	16.5	00 41
	14/2	भाग	00	14.0	00 34
	14/3	भाग	00	01.0	00 02
	15/3	भाग	00	15.5	00 38
	15/2	भाग	00	02.5	00 06
	13/2	भाग	00	01.0	00 02
	8/1	भाग	00	30.0	00 74
	8/2	भाग	00	07.5	00 19
	9/1	भाग	00	02.5	00 06
	10/1	भाग	00	06.5	00 16
	10/2	भाग	00	12.0	00 30
	10/3	भाग	00	06.5	00 16
	33/13	भाग	00	03.5	00 09
	33/5	भाग	00	04.5	00 11
	33/6	भाग	00	15.5	00 38
	42/1	भाग	00	03.0	00 08
	42/5	भाग	00	00.5	00 01
	42/2	भाग	00	15.5	00 38
	42/3	भाग	00	03.0	00 08

(1)	(2)	(3)	(4)	(5)	(6)
विज्ञानापेटा § संतत ... §	40/1	भाग	00	14.0	00 35
	38/3	भाग	00	12.5	00 31
	38/1	भाग	00	01.0	00 02
	38/5	भाग	00	05.0	00 12
	39/1	भाग	00	24.0	00 59
	37/3	भाग	00	27.5	00 63
	64/2	भाग	00	01.0	00 03
	34/1	भाग	00	35.0	00 86
	65	भाग	00	13.0	00 32
	68/1C	भाग	00	02.5	00 06
	68/2	भाग	00	15.0	00 37
	69/1B	भाग	00	52.0	01 28
चन्द्रपदला	357/4	भाग	00	14.5	00 36
	357/6	भाग	00	18.5	00 46
	358	भाग	00	09.0	00 22
	352/2	भाग	00	14.0	00 34

[फा. सं. आर.—31015/8/96—ओ. आर.—II]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S.O. 146.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2657 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 31st October, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule**Mandal: Vissannapeta****District: Krishna****State : Andhra Pradesh**

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Narasapuram	564/2	Part	00	20.0	00	49
	564/3	Part	00	67.5	01	66
	552/3	Part	00	27.0	00	67
	565	Part	00	10.0	00	25
	521/1	Part	00	03.0	00	07
	521/2	Part	00	20.0	00	50
	522/7	Part	00	04.5	00	11
	534/1	Part	00	05.5	00	14
	534/2	Part	00	16.0	00	39
	534/5	Part	00	02.5	00	06
	536/3	Part	00	01.0	00	03
	536/5	Part	00	17.0	00	42
	538/1	Part	00	13.0	00	32
	538/2	Part	00	06.5	00	16
	538/3	Part	00	00.5	00	01
	537/2	Part	00	07.5	00	19
	537/3	Part	00	16.0	00	39
	537/4	Part	00	01.5	00	04
	537/5	Part	00	09.5	00	24
Tatakunta	240/1	Part	00	10.0	00	25
	240/2	Part	00	14.5	00	36
	240/4	Part	00	01.5	00	04
	240/5	Part	00	03.5	00	09
	240/6	Part	00	07.5	00	18
	240/8	Part	00	07.0	00	18
	240/9	Part	00	00.5	00	01
	239/6	Part	00	00.5	00	01
	236/3	Part	00	00.5	00	01
	236/5	Part	00	03.5	00	09
	236/6	Part	00	12.0	00	30
	236/7	Part	00	19.5	00	48
	235/1	Part	00	14.0	00	35

(1)	(2)	(3)	(4)	(5)	(6)
Tatakunta (Contd..)	235/2	Part	00	10.5	00 26
	234/4	Part	00	11.0	00 27
	233/5	Part	00	04.0	00 10
	208/1	Part	00	14.0	00 35
	228/11	Part	00	00.5	00 01
	209/1	Part	00	23.0	00 57
	209/2	Part	00	00.5	00 01
	210/2	Part	00	04.5	00 11
	210/3	Part	00	06.0	00 14
	210/4	Part	00	06.5	00 16
	210/5	Part	00	05.0	00 12
	210/6	Part	00	00.5	00 01
	211/1	Part	00	07.0	00 17
	211/2	Part	00	02.5	00 06
	195/1	Part	00	07.5	00 19
	195/2	Part	00	08.0	00 20
	195/3	Part	00	04.5	00 11
	194/3	Part	00	17.0	00 42
	197/1	Part	00	28.5	00 70
	192/1	Part	00	00.5	00 01
	192/2	Part	00	12.5	00 31
	191	Part	00	13.5	00 33
	189/2	Part	00	07.0	00 17
	189/3	Part	00	13.0	00 32
	139/2	Part	00	26.0	00 64
	142/2	Part	00	11.0	00 27
	142/3	Part	00	03.0	00 07
	147/2	Part	00	02.5	00 06
	147/3	Part	00	17.0	00 43
	146/1	Part	00	08.5	00 21
	146/2	Part	00	00.5	00 01
	152/1	Part	00	19.0	00 46
	152/2	Part	00	14.0	00 35
	151/1	Part	00	06.5	00 16
	151/3	Part	00	04.0	00 10
	151/4	Part	00	04.0	00 10
	150/5	Part	00	01.5	00 04
	154/1	Part	00	04.5	00 11
	154/2	Part	00	04.5	00 11
	154/3	Part	00	04.5	00 11
	154/4	Part	00	24.0	00 60
	76	Part	00	13.0	00 32

(1)	(2)	(3)	(4)	(5)	(6)
Tatakunta (Contd..)	75/1	Part	00	05.5	00 14
	75/2	Part	00	05.5	00 13
	75/3	Part	00	03.5	00 09
	75/4	Part	00	03.0	00 08
	75/5	Part	00	05.5	00 14
	75/6	Part	00	03.0	00 07
	75/7	Part	00	01.5	00 04
	75/8	Part	00	00.5	00 01
	73/1B	Part	00	05.5	00 14
	73/1C	Part	00	14.0	00 34
	73/2A	Part	00	03.0	00 08
	73/2B	Part	00	02.0	00 05
	73/3	Part	00	01.0	00 03
	67/3	Part	00	01.5	00 04
	67/4	Part	00	05.5	00 13
	67/5	Part	00	01.5	00 04
	67/6	Part	00	15.0	00 37
	64	Part	00	20.5	00 51
Vissannapeta	18/4	Part	00	22.5	00 55
	18/3	Part	00	02.5	00 06
	18/1	Part	00	21.5	00 53
	17/2	Part	00	37.0	00 91
	19	Part	00	04.0	00 10
	14/1	Part	00	16.5	00 41
	14/2	Part	00	14.0	00 34
	14/3	Part	00	01.0	00 02
	15/3	Part	00	15.5	00 38
	15/2	Part	00	02.5	00 06
	13/2	Part	00	01.0	00 02
	8/1	Part	00	30.0	00 74
	8/2	Part	00	07.5	00 19
	9/1	Part	00	02.5	00 06
	10/1	Part	00	06.5	00 16
	10/2	Part	00	12.0	00 30
	10/3	Part	00	06.5	00 16
	33/13	Part	00	03.5	00 09
	33/5	Part	00	04.5	00 11
	33/6	Part	00	15.5	00 38
	42/1	Part	00	03.0	00 08
	42/5	Part	00	00.5	00 01
	42/2	Part	00	15.5	00 38
	42/3	Part	00	03.0	00 08

(1)	(2)	(3)	(4)	(5)	(6)
Vissannapeta (Contd..)	40/1	Part	00	14.0	00 35
	38/3	Part	00	12.5	00 31
	38/1	Part	00	01.0	00 02
	38/5	Part	00	05.0	00 12
	39/1	Part	00	24.0	00 59
	37/3	Part	00	27.5	00 68
	64/2	Part	00	01.0	00 03
	64/1	Part	00	35.0	00 86
	66	Part	00	13.0	00 32
	68/1C	Part	00	02.5	00 06
	68/2	Part	00	15.0	00 37
	69/1B	Part	00	62.0	01 28
Chandrapatia	357/4	Part	00	14.5	00 36
	357/6	Part	00	18.5	00 46
	358	Part	00	09.0	00 22
	352/2	Part	00	14.0	00 34

[No. R-31015/8/96—OR—II]

K.C. KATOCH, Under Secy.

गई दिल्ली, 14 जनवरी, 1997

का. आ. 147.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 का 50 जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा 1 और 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2667 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 8 नवंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विस्लंगनों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : चतुर्द

जिला : कृष्णा

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन	क्षेत्रफल			
		हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
मंकोलु	280/1	भाग	00	03.0	00 08
	280/2	भाग	00	16.0	00 39
	278/3A	भाग	00	01.0	00 03
	278/3C	भाग	00	09.0	00 22
	278/6	भाग	00	03.0	00 07
	278/7	भाग	00	02.5	00 06
	278/8	भाग	00	03.0	00 07
	278/9	भाग	00	02.5	00 06
	277/4	भाग	00	03.0	00 07
	277/5	भाग	00	05.5	00 14
	277/6	भाग	00	04.0	00 10
	277/7	भाग	00	03.5	00 09
	277/8A	भाग	00	00.5	00 01
	288/2	भाग	00	04.5	00 11
	288/3	भाग	00	08.0	00 20
	288/4	भाग	00	05.5	00 14
	288/5	भाग	00	05.5	00 14
	292/2	भाग	00	06.5	00 16
	308	भाग	00	61.0	01 50
	312/1	भाग	00	00.5	00 01
	312/2	भाग	00	15.0	00 37
	312/3	भाग	00	01.0	00 03
	100/1	भाग	00	01.0	00 02
	100/2	भाग	00	21.0	00 52
	99/1A	भाग	00	04.5	00 11
	99/1C	भाग	00	05.5	00 13
	99/2C	भाग	00	15.0	00 37
पोलावरम	215/6	भाग	00	02.5	00 06
	215/7	भाग	00	18.0	00 44
	215/8	भाग	00	07.5	00 18
	215/10	भाग	00	18.0	00 44
	215/11	भाग	00	02.5	00 06

(1)	(2)	(3)	(4)	(5)	(6)
पोलावरम § संतत ... §	241/4	भाग	00	13.0	00 32
	241/5	भाग	00	03.0	00 07
	238/2	भाग	00	08.0	00 20
	238/4	भाग	00	01.0	00 02
	237/2B	भाग	00	22.5	00 55
	237/3B	भाग	00	00.5	00 01
	235/1B	भाग	00	01.0	00 02
	235/2	भाग	00	16.0	00 39
	235/3	भाग	00	04.0	00 10
	234/3	भाग	00	16.0	00 39
	234/4	भाग	00	05.5	00 14
	234/5	भाग	00	05.0	00 12
	234/6	भाग	00	05.0	00 12
	234/7	भाग	00	05.5	00 13
	233/2	भाग	00	12.0	00 30
	233/5	भाग	00	39.5	00 98
	232/4	भाग	00	09.5	00 24
	248/1	भाग	00	01.0	00 02
	248/2	भाग	00	11.0	00 27
	248/3	भाग	00	05.5	00 13
	248/4	भाग	00	05.5	00 13
	248/5	भाग	00	14.5	00 36
	173	भाग	00	04.5	00 11
	172	भाग	00	09.0	00 22
	167/1	भाग	00	00.5	00 01
	167/2	भाग	00	09.0	00 22
	165/1	भाग	00	41.5	01 02
	153/3	भाग	00	22.0	00 54
	154	भाग	00	22.5	00 56
	126/5	भाग	00	04.0	00 10
	125/1	भाग	00	01.0	00 02
	125/5	भाग	00	07.0	00 17
	125/6	भाग	00	07.0	00 17
	106	भाग	00	56.5	01 40
	100	भाग	00	33.0	00 82
	103/5	भाग	00	00.5	00 01
	91/1	भाग	00	01.0	00 02
	89/1	भाग	00	35.5	00 88
	89/2	भाग	00	11.0	00 27
	13/3	भाग	00	14.0	00 34
	15/1A	भाग	00	00.5	00 01
	15/1C	भाग	00	22.0	00 54

(1)	(2)	(3)	(4)	(5)	(6)
पोलावरम § संतत ... §	15/2A	भाग	00	16.0	00 39
	16/1	भाग	00	00.5	00 01
	14/3A3	भाग	00	20.0	00 50
	14/3C	भाग	00	04.0	00 10
घण्ट	21/3A	भाग	01	21.0	03 00
	548	भाग	00	16.0	00 39
	550	भाग	00	01.0	00 03
	551	भाग	00	02.0	00 05
	552	भाग	00	00.5	00 01
	557	भाग	00	34.0	00 84
	558	भाग	00	09.5	00 24
	565/1	भाग	00	05.5	00 13
	565/2	भाग	00	00.5	00 01
	565/4	भाग	00	00.5	00 01
	565/5	भाग	00	05.0	00 13
	565/6	भाग	00	10.0	00 25
	565/7	भाग	00	13.0	00 32
	566	भाग	00	07.0	00 17
	568	भाग	00	20.0	00 49
	570	भाग	00	44.0	01 10
	410/2	भाग	00	01.0	00 03
	396/1	भाग	00	01.0	00 03
	396/2	भाग	00	13.0	00 32
	397/2	भाग	00	14.0	00 34
	397/3	भाग	00	14.5	00 36
	397/4	भाग	00	14.0	00 35
	388/1	भाग	00	10.0	00 25
	388/2	भाग	00	07.5	00 18
	389/1	भाग	00	12.5	00 30
	389/3	भाग	00	14.0	00 35
	389/4	भाग	00	09.5	00 24
	390	भाग	00	01.0	00 02
	382/1	भाग	00	13.0	00 32
	381/1	भाग	00	03.5	00 09
	381/2	भाग	00	07.5	00 18
	381/3	भाग	00	16.5	00 41
	378/2	भाग	00	18.0	00 45
	379/1	भाग	00	08.5	00 21
	376/1	भाग	00	32.5	00 81
	375/1	भाग	00	09.5	00 23
	375/2	भाग	00	09.0	00 22
	375/3	भाग	00	09.0	00 22

(1)	(2)	(3)	(4)	(5)	(6)
चतुर्दश संवत्...	371/1	भाग	00	47.0	01 16
	371/2	भाग	00	01.5	00 04
	335/5	भाग	00	05.5	00 13
जनार्दनवरम	3/2A	भाग	00	04.0	00 10
	3/2B	भाग	00	10.0	00 25
	3/6A	भाग	00	03.0	00 08
	2/1	भाग	00	14.5	00 36
	2/7	भाग	00	17.5	00 43
	2/2	भाग	00	04.5	00 11
अरुणोत्तुपेटा	1/6	भाग	00	05.0	00 13
	1/7	भाग	00	13.5	00 33
	20/1A	भाग	00	20.0	00 49
	10/1A	भाग	00	03.5	00 09
	10/1B	भाग	00	11.5	00 29
	10/6	भाग	00	01.0	00 02
	8/1	भाग	00	00.5	00 01
	8/2	भाग	00	01.0	00 02
	8/3	भाग	00	09.0	00 22
	8/4	भाग	00	03.0	00 08
	8/5	भाग	00	00.5	00 01
	8/6	भाग	00	04.0	00 10
	8/7	भाग	00	11.5	00 28
	8/8	भाग	00	00.5	00 01
	8/9	भाग	00	03.0	00 08
	8/10	भाग	00	06.0	00 12
	8/11	भाग	00	00.5	00 01
	8/14	भाग	00	01.5	00 04
	11/4	भाग	00	11.0	00 25
	11/5	भाग	00	01.5	00 04
	11/6	भाग	00	01.5	00 04
	11/7	भाग	00	06.5	00 16
	11/8	भाग	00	01.0	00 02
	67/4A	भाग	00	13.0	00 32
	67/4B	भाग	00	05.5	00 13
	67/4D	भाग	00	07.0	00 17
	67/4E	भाग	00	01.0	00 03
	67/5	भाग	00	02.5	00 06
	67/9B	भाग	00	04.0	00 10
	67/9C	भाग	00	00.5	00 01
	67/9D	भाग	00	04.0	00 10
	67/17	भाग	00	02.5	00 06
	67/18	भाग	00	05.5	00 13

(1)	(2)	(3)	(4)	(5)	(6)
अस्मोलनुपेडा § संतत... §	67/19	भाग	00	01.0	00 02
	64/5C	भाग	00	03.0	00 08
	63/2	भाग	00	13.0	00 32
	63/3	भाग	00	03.5	00 09
	186/3C	भाग	00	13.0	00 32
	186/6	भाग	00	02.0	00 05
	186/7	भाग	00	07.5	00 18
	186/8	भाग	00	07.5	00 18
	186/9	भाग	00	06.5	00 16
	186/10	भाग	00	05.5	00 14
	196/11	भाग	00	04.0	00 10
	186/12A	भाग	00	18.0	00 45
	186/12C	भाग	00	00.5	00 01
	185	भाग	00	03.0	00 03
	158/1	भाग	00	23.0	00 69
	158/3	भाग	00	14.0	00 34
	158/4	भाग	00	00.5	00 01
	157/1E	भाग	00	07.0	00 17
	157/1D	भाग	00	02.0	00 05
	157/2	भाग	00	09.5	00 24
	157/3	भाग	00	04.0	00 10
	157/4	भाग	00	05.5	00 13
	157/5	भाग	00	01.0	00 03
	164/2C	भाग	00	00.5	00 01
	164/2D	भाग	00	05.5	00 14
	164/2E	भाग	00	02.5	00 06
	164/3B	भाग	00	02.0	00 05
	164/3C	भाग	00	04.0	00 10
	164/3D	भाग	00	00.5	00 01
	164/3G	भाग	00	04.0	00 10
	164/4	भाग	00	20.0	00 49
	165/2	भाग	00	16.0	00 39
	165/4	भाग	00	14.5	00 36
	146/2	भाग	00	05.5	00 13
	146/3	भाग	00	16.0	00 39
	147/1	भाग	00	14.5	00 36
	145/1	भाग	00	01.0	00 02
	145/2A	पुरा	00	01.0	00 02
	145/2B	भाग	00	19.0	00 47
	145/2E	भाग	00	13.0	00 32
	145/3	भाग	00	08.0	00 20
	141	भाग	00	26.5	00 65

(1)	(2)	(3)	(4)	(5)	(6)	
अन्विल्लुपेटा § संतत... §	133/1	भाग	99	15.0	00	37
	139/2	भाग	00	43.0	01	18
	140	भाग	00	05.0	00	12
	137/2	भाग	00	33.5	00	33
	136/2	भाग	00	11.0	00	27
	136/1	भाग	00	02.5	00	07
	136/3	भाग	00	24.5	00	60
	128/3A	भाग	00	03.5	00	09
	129	भाग	00	43.5	01	08

[फा. सं. आर.—31015/9/96—ओ. आर.—II भाग]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S.O. 147.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2667 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 8th November, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule

Mandal: Chatral

District: Krishna

State : Andhra Pradesh

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Mankollu	280/1	Part	00	03.0	00	08
	280/2	Part	00	16.0	00	39
	278/3A	Part	00	01.0	00	03
	278/3C	Part	00	09.0	00	22
	278/6	Part	00	03.0	00	07
	278/7	Part	00	02.5	00	06
	278/8	Part	00	03.0	00	07
	278/9	Part	00	02.5	00	06
	277/4	Part	00	03.0	00	07
	277/5	Part	00	05.5	00	14
	277/6	Part	00	04.0	00	10
	277/7	Part	00	03.5	00	09
	277/8A	Part	00	00.5	00	01
	288/2	Part	00	04.5	00	11
	288/3	Part	00	08.0	00	20
	288/4	Part	00	05.5	00	14
	288/5	Part	00	05.5	00	14
	292/2	Part	00	06.5	00	16
	308	Part	00	61.0	01	50
	312/1	Part	00	00.5	00	01
	312/2	Part	00	15.0	00	37
	312/3	Part	00	01.0	00	03
	100/1	Part	00	01.0	00	02
	100/2	Part	00	21.0	00	52
	99/1A	Part	00	04.5	00	11
	99/1C	Part	00	05.5	00	13
	99/2C	Part	00	15.0	00	37
Polavaram	215/6	Part	00	02.5	00	06
	215/7	Part	00	18.0	00	44
	215/8	Part	00	07.5	00	18
	215/10	Part	00	18.0	00	44
	215/11	Part	00	02.5	00	06

(1)	(2)	(3)	(4)	(5)	(6)
Polavaram (Contd..)	241/4	Part	00	13.0	00 32
	241/5	Part	00	03.0	00 07
	238/2	Part	00	08.0	00 20
	238/4	Part	00	01.0	00 02
	237/2B	Part	00	22.5	00 55
	237/3B	Part	00	00.5	00 01
	235/1B	Part	00	01.0	00 02
	235/2	Part	00	16.0	00 39
	235/3	Part	00	04.0	00 10
	234/3	Part	00	16.0	00 39
	234/4	Part	00	05.5	00 14
	234/5	Part	00	05.0	00 12
	234/6	Part	00	05.0	00 12
	234/7	Part	00	05.5	00 13
	233/2	Part	00	12.0	00 30
	233/5	Part	00	39.5	00 98
	232/4	Part	00	09.5	00 24
	248/1	Part	00	01.0	00 02
	248/2	Part	00	11.0	00 27
	248/3	Part	00	05.5	00 13
	248/4	Part	00	05.5	00 13
	248/5	Part	00	14.5	00 36
	173	Part	00	04.5	00 11
	172	Part	00	09.0	00 22
	167/1	Part	00	00.5	00 01
	167/2	Part	00	09.0	00 22
	165/1	Part	00	41.5	01 02
	153/3	Part	00	22.0	00 54
	154	Part	00	22.5	00 56
	126/5	Part	00	04.0	00 10
	125/1	Part	00	01.0	00 02
	125/5	Part	00	07.0	00 17
	125/6	Part	00	07.0	00 17
	106	Part	00	66.5	01 40
	100	Part	00	33.0	00 82
	103/5	Part	00	00.5	00 01
	91/1	Part	00	01.0	00 02
	89/1	Part	00	35.5	00 88
	89/2	Part	00	11.0	00 27
	13/3	Part	00	14.0	00 34
	15/1A	Part	00	00.5	00 01
	15/1C	Part	00	22.0	00 54

(1)	(2)	(3)	(4)	(5)	(6)
Polavaram (Contd..)	15/2A	Part	00	16.0	00 39
	16/1	Part	00	00.5	00 01
	14/3A3	Part	00	20.0	00 50
	14/3C	Part	00	04.0	00 10
	21/3A	Part	01	21.0	03 00
Chatral	548	Part	00	16.0	00 39
	550	Part	00	01.0	00 03
	551	Part	00	02.0	00 05
	552	Part	00	00.5	00 01
	557	Part	00	34.0	00 84
	558	Part	00	09.5	00 24
	565/1	Part	00	05.5	00 13
	565/2	Part	00	00.5	00 01
	565/4	Part	00	00.5	00 01
	565/5	Part	00	05.0	00 13
	565/6	Part	00	10.0	00 25
	565/7	Part	00	13.0	00 32
	566	Part	00	07.0	00 17
	568	Part	00	20.0	00 49
	570	Part	00	44.0	01 10
	410/2	Part	00	01.0	00 03
	396/1	Part	00	01.0	00 03
	396/2	Part	00	13.0	00 32
	397/2	Part	00	14.0	00 34
	397/3	Part	00	14.5	00 36
	397/4	Part	00	14.0	00 35
	388/1	Part	00	10.0	00 25
	388/2	Part	00	07.5	00 18
	389/1	Part	00	12.5	00 30
	389/3	Part	00	14.0	00 35
	389/4	Part	00	09.5	00 24
	390	Part	00	01.0	00 02
	382/1	Part	00	13.0	00 32
	381/1	Part	00	03.5	00 09
	381/2	Part	00	07.5	00 18
	381/3	Part	00	16.5	00 41
	378/2	Part	00	18.0	00 45
	379/1	Part	00	08.5	00 21
	376/1	Part	00	32.5	00 81
	375/1	Part	00	09.5	00 23
	375/2	Part	00	09.0	00 22
	375/3	Part	00	09.0	00 22

(1)	(2)	(3)	(4)	(5)	(6)
Chatral (Contd.)	371/1	Part	00	47.0	01 16
	371/2	Part	00	01.5	00 04
	335/5	Part	00	05.5	00 13
Janardanavaram	3/2A	Part	00	04.0	00 10
	3/2B	Part	00	10.0	00 25
	3/6A	Part	00	03.0	00 08
Arugolanupeta	2/1	Part	00	14.5	00 36
	2/7	Part	00	17.5	00 43
	2/2	Part	00	04.5	00 11
	1/6	Part	00	05.0	00 13
	1/7	Part	00	13.5	00 33
	20/1A	Part	00	20.0	00 49
	10/1A	Part	00	03.5	00 09
	10/1B	Part	00	11.5	00 29
	10/6	Part	00	01.0	00 02
	8/1	Part	00	00.5	00 01
	8/2	Part	00	01.0	00 02
	8/3	Part	00	09.0	00 22
	8/4	Part	00	03.0	00 08
	8/5	Part	00	00.5	00 01
	8/6	Part	00	04.0	00 10
	8/7	Part	00	11.5	00 28
	8/8	Part	00	00.5	00 01
	8/9	Part	00	03.0	00 08
	8/10	Part	00	05.0	00 12
	8/11	Part	00	00.5	00 01
	8/14	Part	00	01.5	00 04
	11/4	Part	00	11.0	00 25
	11/5	Part	00	01.5	00 04
	11/6	Part	00	01.5	00 04
	11/7	Part	00	06.5	00 16
	11/8	Part	00	01.0	00 02
	67/4A	Part	00	13.0	00 32
	67/4B	Part	00	05.5	00 13
	67/4D	Part	00	07.0	00 17
	67/4E	Part	00	01.0	00 03
	67/5	Part	00	02.5	00 06
	67/9B	Part	00	04.0	00 10
	67/9C	Part	00	00.5	00 01
	67/9D	Part	00	04.0	00 10
	67/17	Part	00	02.5	00 06
	67/18	Part	00	05.5	00 13

(1)	(2)	(3)	(4)	(5)	(6)
Arugolanupeta (Contd..)	67/19	Part	00	01.0	00 02
	64/5C	Part	00	03.0	00 08
	63/2	Part	00	13.0	00 32
	63/3	Part	00	03.5	00 09
	186/3C	Part	00	13.0	00 32
	186/6	Part	00	02.0	00 05
	186/7	Part	00	07.5	00 18
	186/8	Part	00	07.5	00 18
	186/9	Part	00	06.5	00 16
	186/10	Part	00	05.5	00 14
	186/11	Part	00	04.0	00 10
	186/12A	Part	00	18.0	00 45
	186/12C	Part	00	00.5	00 01
	185	Part	00	03.0	00 08
	158/1	Part	00	28.0	00 69
	158/3	Part	00	14.0	00 34
	158/4	Part	00	00.5	00 01
	157/1E	Part	00	07.0	00 17
	157/1D	Part	00	02.0	00 05
	157/2	Part	00	09.5	00 24
	157/3	Part	00	04.0	00 10
	157/4	Part	00	05.5	00 13
	157/6	Part	00	01.0	00 03
	164/2C	Part	00	00.5	00 01
	164/2D	Part	00	05.5	00 14
	164/2E	Part	00	02.5	00 06
	164/3B	Part	00	02.0	00 05
	164/3C	Part	00	04.0	00 10
	164/3D	Part	00	00.5	00 01
	164/3G	Part	00	04.0	00 10
	164/4	Part	00	20.0	00 49
	165/2	Part	00	16.0	00 39
	165/4	Part	00	14.5	00 36
	146/2	Part	00	05.5	00 13
	146/3	Part	00	16.0	00 39
	147/1	Part	00	14.5	00 36
	145/1	Part	00	01.0	00 02
	145/2A	Full	00	01.0	00 02
	145/2B	Part	00	19.0	00 47
	145/2E	Part	00	13.0	00 32
	145/3	Part	00	08.0	00 20
	141	Part	00	26.5	00 65

(1)	(2)	(3)	(4)	(5)	(6)
Arugolanupeta (Contd..)	139/1	Part	00	15.0	00 37
	139/2	Part	00	48.0	01 18
	140	Part	00	05.0	00 12
	137/2	Part	00	33.6	00 83
	136/2	Part	00	11.0	00 27
	136/1	Part	00	02.5	00 07
	136/3	Part	00	24.5	00 60
	128/3A	Part	00	03.5	00 09
	129	Part	00	43.6	01 08

[No. R-31015/9/96—OR-II]

K.C. KATOCH, Under Secy.

नई दिल्ली, 14 जनवरी, 1997

का. आ. 148.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 (1962 का 50) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा 1 और 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2666 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 30 अक्टूबर 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी वित्त्संगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल येलेश्वरम

जिला : पूर्व गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे सं./ सब डिविजन		क्षेत्रफल			
			हेक्टेयर	आर	रकड	सेन्ट
(1)	(2)		(3)	(4)	(5)	(6)
शिरिपुरम	3/1A	भाग	00	08.5	00	16
	2/1A	भाग	00	18.0	00	44
	1/1	भाग	00	11.0	00	27
	1/2	भाग	00	10.5	00	26
	1/3	भाग	00	00.5	00	01
पेरावरम	81/1C	भाग	00	00.5	00	01
	81/2	भाग	00	13.0	00	32
	81/3A	भाग	00	07.5	00	18
	85/2A	भाग	00	01.5	00	04
	85/2B	भाग	00	18.0	00	44
	86/2A	भाग	00	06.5	00	16
	86/2B	भाग	00	02.5	00	06
	90/2	भाग	00	17.5	00	43
	91/2B	भाग	00	18.0	00	45
	94	भाग	00	27.5	00	68
	106	भाग	00	11.0	00	27
	107	भाग	00	10.0	00	25
	108/1B	भाग	00	26.5	00	65
	118	भाग	00	30.0	00	74
	116	भाग	00	01.0	00	02
	119	भाग	00	07.5	00	18
	120/1A	भाग	00	22.5	00	55
	120/1B	भाग	00	01.5	00	04
	120/1C	भाग	00	01.5	00	04
	124/2	भाग	00	01.0	00	02
	124/3A	भाग	00	16.0	00	39
	124/3B	भाग	00	13.5	00	33
	124/3C	भाग	00	16.5	00	41
	124/4	भाग	00	00.5	00	01
	125/2	भाग	00	01.0	00	03
	125/3	भाग	00	03.0	00	07

(1)	(2)	(3)	(4)	(5)	(6)		
पेरावरम : सतत	133/2	भाग	00	14.0	00	34	
	133/3	भाग	00	06.5	00	16	
	133/4	भाग	00	07.0	00	17	
	146/1	भाग	00	11.0	00	27	
	146/2	भाग	00	16.0	00	39	
	147/2C	भाग	00	11.0	00	27	
	157	भाग	00	29.0	00	72	
	158/1	भाग	00	19.0	00	47	
	159	भाग	00	28.0	00	69	
	160/1	भाग	00	11.0	00	27	
	लिंगमपर्यी	807/1	भाग	00	17.5	00	43
		806/3	भाग	00	03.0	00	08
		806/5	भाग	00	14.0	00	35
		806/6	भाग	00	04.5	00	11
		806/7	भाग	00	05.5	00	13
		805/1	भाग	00	04.0	00	10
		804/1	भाग	00	02.0	00	05
		799/1	भाग	00	13.5	00	33
		799/2	भाग	00	01.0	00	03
		803/1	भाग	00	05.0	00	12
		803/2	भाग	00	19.0	00	47
		803/3	भाग	00	05.0	00	12
		801/2	भाग	00	18.0	00	45
		760/1C	भाग	00	01.5	00	04
		760/2B	भाग	00	03.0	00	08
760/2D		भाग	00	07.0	00	17	
760/2E		भाग	00	07.0	00	17	
760/3		भाग	00	01.0	00	03	
759/2F		भाग	00	07.5	00	19	
759/2G		भाग	00	03.0	00	08	
तिरूमलि		118/2	भाग	00	17.5	00	43
		118/3	भाग	00	12.0	00	30
		116/2A	भाग	00	07.5	00	19
		116/2B	भाग	00	05.0	00	12
		116/2D	भाग	00	00.5	00	01
	116/2E	भाग	00	11.5	00	28	
	115/3	भाग	00	08.0	00	20	
	115/7	भाग	00	02.5	00	06	
	116/8	भाग	00	20.0	00	50	
	113/12	भाग	00	03.5	00	09	

(1)	(2)	(3)	(4)	(5)	(6)	
तिरुमलि : सतत ... :	113/13	भाग	00	02.5	00	06
	113/14	भाग	00	04.5	00	11
	113/15	भाग	00	08.0	00	20
	113/18	भाग	00	05.5	00	13
	113/19	भाग	00	00.5	00	01
	113/20	भाग	00	10.5	00	26
	113/21	भाग	00	01.0	00	02
	113/25	भाग	00	00.5	00	01
	113/40	भाग	00	01.5	00	04
	112/1B	भाग	00	03.0	00	08
	112/1C	भाग	00	02.0	00	05
	112/1D	भाग	00	07.5	00	18
	112/1E	भाग	00	05.0	00	12
	112/1F	भाग	00	03.0	00	07
	112/1G	भाग	00	03.0	00	08
	112/4	भाग	00	00.5	00	01
	112/5	भाग	00	05.5	00	14
	96/6	भाग	00	02.5	00	06
	96/11	भाग	00	07.5	00	18
	96/12	भाग	00	06.5	00	16
	93/2A	भाग	00	00.5	00	01
	93/2B	भाग	00	10.5	00	26
	93/3	भाग	00	12.5	00	31
	94/3B	भाग	00	15.0	00	37
	91/2A	भाग	00	01.0	00	02
	29/3A	भाग	00	10.0	00	25
	29/3B	भाग	00	15.0	00	37
	30/1A	भाग	00	10.0	00	25
	30/1B	भाग	00	08.5	00	21
	30/2A	भाग	00	01.5	00	04
	30/2B	भाग	00	11.0	00	27
	32/3	भाग	00	11.5	00	29
	32/4A	भाग	00	12.0	00	30
	33/4	भाग	00	10.0	00	25
	71/1	भाग	00	11.5	00	28
	71/4	भाग	00	24.0	00	69
	71/5A	भाग	00	01.5	00	04
	38/1	भाग	00	08.5	00	21
	38/2	भाग	00	22.5	00	55
	38/3B	भाग	00	08.5	00	21
	38/3C	भाग	00	07.5	00	18

(1)	(2)	(3)	(4)	(5)	(6)
तिल्लि तिल्लि	57/1A	भाग	00	00.5	00 01
	58/4	भाग	00	04.0	00 10
	58/6	भाग	00	03.5	00 09
	58/7	भाग	00	10.5	00 28
	58/8	भाग	00	00.5	00 01
	58/10	भाग	00	19.6	00 48
	54/1F	भाग	00	03.0	00 08
	54/3	भाग	00	03.0	00 07
	54/6	भाग	00	08.5	00 21
	54/7	भाग	00	03.0	00 08
	55/1	भाग	00	09.5	00 23
	55/2	भाग	00	05.5	00 13

[फा. सं. आर.—31015/13/96—ओ. आर.—II]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S.O. 148.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2666 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 30th October, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule

Mandal: Yeleswaram

District: East Godavari

State : Andhra Pradesh

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Siripuram	3/1A	Part	00	06.5	00	16
	2/1A	Part	00	18.0	00	44
	1/1	Part	00	11.0	00	27
	1/2	Part	00	10.5	00	26
	1/3	Part	00	00.5	00	01
Peravaram	81/1C	Part	00	00.5	00	01
	81/2	Part	00	13.0	00	32
	81/3A	Part	00	07.5	00	18
	85/2A	Part	00	01.5	00	04
	85/2B	Part	00	18.0	00	44
	86/2A	Part	00	06.5	00	16
	86/2B	Part	00	02.5	00	06
	90/2	Part	00	17.5	00	43
	91/2B	Part	00	18.0	00	45
	94	Part	00	27.5	00	68
	106	Part	00	11.0	00	27
	107	Part	00	10.0	00	25
	108/1B	Part	00	26.5	00	65
	118	Part	00	30.0	00	74
	116	Part	00	01.0	00	02
	119	Part	00	07.5	00	18
	120/1A	Part	00	22.5	00	55
	120/1B	Part	00	01.5	00	04
	120/1C	Part	00	01.5	00	04
	124/2	Part	00	01.0	00	02
	124/3A	Part	00	16.0	00	39
	124/3B	Part	00	13.5	00	33
	124/3C	Part	00	16.5	00	41
	124/4	Part	00	00.5	00	01
	125/2	Part	00	01.0	00	03
	125/3	Part	00	03.0	00	07

(1)	(2)	(3)	(4)	(5)	(6)	
Peravaram (Contd..)	133/2	Part	00	14.0	00	84
	133/3	Part	00	06.5	00	16
	133/4	Part	00	07.0	00	17
	146/1	Part	00	11.0	00	27
	146/2	Part	00	16.0	00	39
	147/2C	Part	00	11.0	00	27
	157	Part	00	29.0	00	72
	158/1	Part	00	19.0	00	47
	159	Part	00	28.0	00	69
	160/1	Part	00	11.0	00	27
Lingamparthi	807/1	Part	00	17.5	00	43
	806/3	Part	00	03.0	00	08
	806/5	Part	00	14.0	00	35
	806/6	Part	00	04.5	00	11
	806/7	Part	00	05.5	00	13
	805/1	Part	00	04.0	00	10
	804/1	Part	00	02.0	00	05
	799/1	Part	00	13.5	00	33
	799/2	Part	00	01.0	00	03
	803/1	Part	00	05.0	00	12
	803/2	Part	00	19.0	00	47
	803/3	Part	00	05.0	00	12
	801/2	Part	00	18.0	00	46
	760/1C	Part	00	01.5	00	04
	760/2B	Part	00	03.0	00	08
	760/2D	Part	00	07.0	00	17
	760/2E	Part	00	07.0	00	17
	760/3	Part	00	01.0	00	03
	759/2F	Part	00	07.5	00	19
	759/2G	Part	00	03.0	00	08
Tirumali	118/2	Part	00	17.5	00	43
	118/3	Part	00	12.0	00	30
	116/2A	Part	00	07.5	00	19
	116/2B	Part	00	05.0	00	12
	116/2D	Part	00	00.5	00	01
	116/2E	Part	00	11.5	00	28
	115/3	Part	00	08.0	00	20
	115/7	Part	00	02.5	00	06
	115/8	Part	00	20.0	00	60
	113/12	Part	00	03.5	00	09

(1)	(2)	(3)	(4)	(5)	(6)	
Tirumali (Contd..)	113/13	Part	00	02.5	00	06
	113/14	Part	00	04.5	00	11
	113/15	Part	00	08.0	00	20
	113/18	Part	00	05.5	00	13
	113/19	Part	00	00.5	00	01
	113/20	Part	00	10.5	00	26
	113/21	Part	00	01.0	00	02
	113/25	Part	00	00.5	00	01
	113/40	Part	00	01.5	00	04
	112/1B	Part	00	03.0	00	08
	112/1C	Part	00	02.0	00	05
	112/1D	Part	00	07.5	00	13
	112/1E	Part	00	05.0	00	12
	112/1F	Part	00	03.0	00	07
	112/1G	Part	00	03.0	00	08
	112/4	Part	00	00.5	00	01
	112/5	Part	00	05.5	00	14
	96/6	Part	00	02.5	00	06
	96/11	Part	00	07.5	00	18
	96/12	Part	00	06.5	00	16
	93/2A	Part	00	00.5	00	01
	93/2B	Part	00	10.5	00	26
	93/3	Part	00	12.5	00	31
	94/3B	Part	00	15.0	00	37
	91/2A	Part	00	01.0	00	02
	29/3A	Part	00	10.0	00	25
	29/3B	Part	00	15.0	00	37
	30/1A	Part	00	10.0	00	25
	30/1B	Part	00	08.5	00	21
	30/2A	Part	00	01.5	00	04
	30/2B	Part	00	11.0	00	27
	32/3	Part	00	11.5	00	29
	32/4A	Part	00	12.0	00	30
	33/4	Part	00	10.0	00	25
	71/1	Part	00	11.5	00	28
	71/4	Part	00	24.0	00	59
	71/5A	Part	00	01.5	00	04
	38/1	Part	00	08.5	00	21
	38/2	Part	00	22.5	00	55
	38/3B	Part	00	08.5	00	21
	38/3C	Part	00	07.5	00	18

(1)	(2)	(3)	(4)	(5)	(6)	
Tirumall (Contd..)	57/1A	Part	00	00.5	00	01
	56/4	Part	00	04.0	00	10
	56/6	Part	00	03.5	00	09
	56/7	Part	00	10.5	00	26
	56/8	Part	00	00.5	00	01
	56/10	Part	00	19.5	00	48
	54/1F	Part	00	03.0	00	08
	54/3	Part	00	03.0	00	07
	54/6	Part	00	08.5	00	21
	54/7	Part	00	03.0	00	08
	55/1	Part	00	08.5	00	23
	55/2	Part	00	05.5	00	13

[No. R-31015/13/96—OR—II]

K.C. KATOCH, Under Secy.

नई दिल्ली, 14 जनवरी, 1997

का. आ. 149.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकारी का अर्जन) अधिनियम, 1962 [1962 का 50] [जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है] की धारा 3 की उपधारा [1] और [2] के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2665 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में बिजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 9 नवंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा [1] के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा [4] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : प्रतिपाडु

जिला : पूर्व गोदावरी

राज्य : आन्ध्र-प्रदेश

ग्राम	सर्वे नं. / तब डिविजन	क्षेत्रफल				
		हेक्टेयर	आर	एकड़	सेन्ट	
(1)	(2)	(3)	(4)	(5)	(6)	
तोटापल्लि	57/1	भाग	00	09.5	00	24
	57/4	भाग	00	10.5	00	26
	57/5	भाग	00	12.5	00	31
	57/6	भाग	00	07.5	00	18
	55/1	भाग	00	23.0	00	57
	54/3	भाग	00	27.5	00	68
	51/1	भाग	00	20.0	00	50
	51/3	भाग	00	17.5	00	43
	51/4	भाग	00	19.0	00	47
	50/3	भाग	00	04.0	00	10
वेंकटनगरम	52	भाग	00	34.0	00	83
	66/4	भाग	00	31.0	00	76
	67/1	भाग	00	07.0	00	17
	67/2	भाग	00	09.5	00	24
	67/3A	भाग	00	05.5	00	14
	64	भाग	00	64.0	01	58
	61	भाग	00	31.5	00	78
	60/2	भाग	00	33.5	00	84
	96/1A	भाग	00	34.0	00	84
	95	भाग	00	42.5	01	05
	85/5	भाग	00	01.0	00	03
	86	भाग	00	23.5	00	58
	16/1	भाग	00	05.5	00	14
	16/2	भाग	00	11.0	00	27
	16/4	भाग	00	12.0	00	30
	15	भाग	00	27.0	00	68
	13/1	भाग	00	04.0	00	10
	13/2	भाग	00	01.5	00	04
	8/3	भाग	00	57.0	01	41
	6	भाग	00	15.5	00	38
	5	भाग	00	01.0	00	02

(1)	(2)	(3)	(4)	(5)	(6)
चित्तलुरु	89/3	भाग	00	20.5	00 52
	83/2	भाग	00	20.0	00 49
	99	भाग	00	12.5	00 31
	100/1	भाग	00	18.0	00 45
	100/2	भाग	00	15.0	00 37
	102	भाग	00	17.5	00 43
	126	भाग	00	33.0	00 81
	127	भाग	00	07.0	00 17
	130/2	भाग	00	40.5	01 00
	136	भाग	00	32.0	00 79
	170/4	भाग	00	00.5	00 01
	172/3	भाग	00	00.5	00 01
	172/4	भाग	00	07.5	00 19
	172/7	भाग	00	08.0	00 20
	172/3	भाग	00	02.5	00 06
	171/1	भाग	00	28.0	00 69
	164/4	भाग	00	07.5	00 19
	182	भाग	00	29.0	00 72
	191/2	भाग	00	66.5	01 64
	190	भाग	00	34.5	00 85
कोत्तुरु	285/1	भाग	00	16.5	00 41
	285/2	भाग	00	03.6	00 09
	286/2	भाग	00	07.0	00 17
	286/3	भाग	00	17.5	00 43
	215	भाग	00	02.5	00 06
गज्जनपुडि	216/1	भाग	00	14.0	00 34
	216/2	भाग	00	08.5	00 21
	217/2	भाग	00	15.0	00 37
	217/3	भाग	00	20.5	00 51
	220	भाग	00	61.0	01 25
	231/1	भाग	00	01.0	00 03
	231/2	भाग	00	23.5	00 58
	234	भाग	00	00.5	00 01
	235/1	भाग	00	11.0	00 27
	235/3	भाग	00	17.0	00 42
	72/1	भाग	00	15.0	00 37
	71/1	भाग	00	01.0	00 03
सरभावरम	70/1	भाग	00	37.5	00 93
	66/1	भाग	00	09.5	00 24
	65/4	भाग	00	03.0	00 08

(1)	(2)	(3)	(4)	(5)	(6)		
સરભાવરમ	સંતત.....	84	ભાગ	00	19.5	00	48
		97	ભાગ	00	11.0	00	27
		98/1	ભાગ	00	18.0	00	45
		98/2	ભાગ	00	03.5	00	09
		99/1	ભાગ	00	03.0	00	08
		99/2	ભાગ	00	23.5	00	58
		108	ભાગ	00	36.0	00	89
		109	ભાગ	00	11.0	00	27
		113/2	ભાગ	00	08.0	00	20
		110/1	ભાગ	00	00.5	00	01
		110/2	ભાગ	00	20.5	00	51
		111/1	ભાગ	00	03.0	00	07
		111/2	ભાગ	00	20.0	00	49
		121/2	ભાગ	00	01.0	00	02
		121/3	ભાગ	00	31.0	00	77
		119	ભાગ	00	24.0	00	59
		128/1	ભાગ	00	21.0	00	51
		128/2	ભાગ	00	23.0	00	57
		126	ભાગ	00	06.5	00	16
		127/1	ભાગ	00	27.5	00	88
	વોમાંગિ		125	ભાગ	00	19.5	00
		42	ભાગ	00	26.5	00	66
		37	ભાગ	00	02.5	00	06
		38	ભાગ	00	35.0	00	87
		20	ભાગ	00	18.5	00	46
		19	ભાગ	00	05.0	00	12
		17	ભાગ	00	40.0	00	99
		15/2	ભાગ	00	05.0	00	12
		12/1	ભાગ	00	23.0	00	57
		12/2	ભાગ	00	23.5	00	58
		12/3	ભાગ	00	23.5	00	58
		11/4	ભાગ	00	01.5	00	04
		11/3	ભાગ	00	12.5	00	31
		72/1	ભાગ	00	31.0	00	77
		72/2	ભાગ	00	20.0	00	49
		71/3	ભાગ	00	07.0	00	17
		71/2	ભાગ	00	01.0	00	03
		71/1	ભાગ	00	19.5	00	48
		73	ભાગ	00	09.5	00	23
		74	ભાગ	00	28.5	00	70

(1)	(2)	(3)	(4)	(5)	(6)
उत्तरकंचि	252/3	भाग	00	00.5	00 01
	252/4	भाग	00	10.5	00 26
	252/5	भाग	00	48.5	01 20
	253	भाग	00	24.5	00 61
	234/1	भाग	00	03.5	00 09
	234/2	भाग	00	11.0	00 27
	233	भाग	00	10.5	00 26
	220	भाग	00	28.5	00 71
	222	भाग	00	13.5	00 33
	198/1	भाग	00	21.5	00 53
	198/2	भाग	00	15.0	00 37
	197	भाग	00	05.5	00 13
	196	भाग	00	25.0	00 62
	193	भाग	00	10.5	00 26
लम्पाकालवा	200	भाग	00	19.0	00 47
	201	भाग	00	14.0	00 34
	199	भाग	00	22.0	00 55
	91	भाग	00	00.5	00 01
	92	भाग	00	24.0	00 59
	93	भाग	00	15.5	00 38
	185	भाग	00	20.0	00 49
	94/2	भाग	00	00.5	00 01
	184/1	भाग	00	07.5	00 19
	184/2	भाग	00	18.0	00 45
	183	भाग	00	13.0	00 32
	182	भाग	00	16.5	00 41
	175/1	भाग	00	05.5	00 13
	175/3	भाग	00	26.5	00 65
	176/1	भाग	00	16.0	00 39
	170	भाग	00	19.5	00 48
	158	भाग	00	11.0	00 27
	169/3	भाग	00	01.0	00 03
	160/5	भाग	00	05.0	00 12
	160/6	भाग	00	03.0	00 08
	159	भाग	00	27.0	00 67
	151/1	भाग	00	12.0	00 30
	112/2	भाग	00	02.0	00 05
	112/3	भाग	00	14.5	00 36
	112/5	भाग	00	00.5	00 01
	113/2	भाग	00	05.0	00 12

(1)	(2)	(3)	(4)	(5)	(6)
लम्पाकालवा तालुका	111/1	भाग	00	07.5	00 18
	111/2	भाग	00	05.5	00 13
	111/4	भाग	00	10.0	00 25
	117	भाग	00	23.5	00 58
	118	भाग	00	09.5	00 24
	141	भाग	00	23.5	00 58
	127	भाग	00	00.5	00 01
	140	भाग	00	28.5	00 71
	130	भाग	00	25.0	00 62
	135	भाग	00	17.5	00 43
	134	भाग	00	04.0	00 10
	132/1	भाग	00	06.5	00 16
	132/2	भाग	00	08.0	00 20
	133	भाग	00	14.0	00 34
पी. जगन्नाथपुरम	170/1B	भाग	00	03.0	00 07
	170/2	भाग	00	01.0	00 02
	169/1	भाग	00	27.5	00 68
	161	भाग	00	06.0	00 15
	160/2	भाग	00	00.5	00 01
पेदशकलापुडि	285	भाग	00	15.5	00 38
	286	भाग	00	10.5	00 26
	288/2	भाग	00	31.0	00 77
	299/1	भाग	00	23.0	00 57
	298/2	भाग	00	00.5	00 01
	300	भाग	00	37.5	00 93
	112/9	भाग	00	05.0	00 12
चिनाशकलापुडि	125/1	भाग	00	15.0	00 37
	125/2	भाग	00	07.0	00 17
	125/3	भाग	00	00.5	00 01
	124/1	भाग	00	02.0	00 06
	124/3	भाग	00	06.0	00 15
	124/4	भाग	00	03.0	00 08
	123/4	भाग	00	07.5	00 18
	123/5	भाग	00	10.0	00 25
	127/2A	भाग	00	06.0	00 15
	127/3	भाग	00	02.0	00 05
	122	भाग	00	01.0	00 03
	129	भाग	00	27.5	00 87
	133/1A	भाग	00	06.5	00 14
	133/1B	भाग	00	07.0	00 17

(1)	(2)	(3)	(4)	(5)	(6)
चिनाशकलपिण्डि संतत... इलु	133/1C	भाग	00	05.5	00 14
	133/1D	भाग	00	07.0	00 17
	133/2	भाग	00	04.0	00 10
	130/2	भाग	00	09.5	00 24
	132/1B	भाग	00	01.0	00 03
	132/1A	भाग	00	25.0	00 61
	99/5	भाग	00	02.5	00 06
	170/3	भाग	00	01.0	00 03
	170/4	भाग	00	03.0	00 08
	170/5	भाग	00	05.5	00 13
	170/6	भाग	00	04.0	00 10
	170/7	भाग	00	03.5	00 09
	170/9	भाग	00	04.0	00 10
	170/10	भाग	00	04.0	00 10
	170/11	भाग	00	04.0	00 10
	170/12	भाग	00	03.0	00 08
	170/13	भाग	00	03.5	00 09
	170/14	भाग	00	01.0	00 02
	169/7	भाग	00	00.5	00 01
	169/8	भाग	00	02.0	00 05
	169/10	भाग	00	07.0	00 17
	169/11	भाग	00	07.5	00 18
	167/11	भाग	00	07.5	00 19
	167/12	भाग	00	06.0	00 15
	166/13	भाग	00	10.0	00 25
	166/14	भाग	00	01.5	00 04
	158/1A	भाग	00	10.5	00 26
	159/1	भाग	00	22.5	00 55
	160/1	भाग	00	09.0	00 23
	160/2	भाग	00	23.5	00 58
	59/1	भाग	00	08.0	00 20
	59/2	भाग	00	06.5	00 16
	59/4	भाग	00	07.0	00 18
	59/5	भाग	00	08.5	00 21
	80/1	भाग	00	11.0	00 27
	78/1A2	भाग	00	10.5	00 26
	78/1B1	भाग	00	10.0	00 25
	78/1B2	भाग	00	07.5	00 19
	78/2A	भाग	00	04.0	00 10
	89/1A	भाग	00	01.5	00 04

(1)	(2)	(3)	(4)	(5)	(6)
इलुरु & संतत....	93	भाग	00	00.5	00 01
	92/1	भाग	00	14.0	00 35
	92/2A	भाग	00	14.0	00 35
	94	भाग	00	01.0	00 02
	95	भाग	00	46.0	01 14
	96	भाग	00	14.5	00 36
	99	भाग	00	45.0	01 11

[फा. सं. आर.—31015/14/96—ओ. आर.—II]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S.O. 149.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2665 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 9th November, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule**Mandal: Prathipadu****District: East Godavari****State : Andhra Pradesh**

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Totapalli	57/1	Part	00	09.5	00	24
	57/4	Part	00	10.5	00	26
	57/5	Part	00	12.5	00	31
	57/6	Part	00	07.5	00	18
	55/1	Part	00	23.0	00	57
	54/3	Part	00	27.5	00	68
	51/1	Part	00	20.0	00	50
	51/3	Part	00	17.5	00	43
	51/4	Part	00	19.0	00	47
	50/3	Part	00	04.0	00	10
Venkatanagaram	52	Part	00	34.0	00	83
	66/4	Part	00	31.0	00	76
	67/1	Part	00	07.0	00	17
	67/2	Part	00	09.5	00	24
	67/3A	Part	00	05.5	00	14
	64	Part	00	64.0	01	58
	61	Part	00	31.5	00	78
	60/2	Part	00	33.5	00	84
	96/1A	Part	00	34.0	00	84
	95	Part	00	42.5	01	05
	85/5	Part	00	01.0	00	03
	86	Part	00	23.5	00	58
	16/1	Part	00	05.5	00	14
	16/2	Part	00	11.0	00	27
	16/4	Part	00	12.0	00	30
	15	Part	00	27.0	00	68
	13/1	Part	00	04.0	00	10
	13/2	Part	00	01.5	00	04
	8/3	Part	00	57.0	01	41
	6	Part	00	15.5	00	38
	5	Part	00	01.0	00	02

(1)	(2)	(3)	(4)	(5)	(6)
Chintaluru	89/3	Part	00	20.5	00 52
	88/2	Part	00	20.0	00 49
	99	Part	00	12.5	00 31
	100/1	Part	00	18.0	00 45
	100/2	Part	00	15.0	00 37
	102	Part	00	17.5	00 43
	126	Part	00	33.0	00 81
	127	Part	00	07.0	00 17
	130/2	Part	00	40.5	01 00
	136	Part	00	32.0	00 79
	170/4	Part	00	00.5	00 01
	172/3	Part	00	00.5	00 01
	172/4	Part	00	07.5	00 19
	172/7	Part	00	08.0	00 20
	172/8	Part	00	02.5	00 06
	171/1	Part	00	28.0	00 69
	164/4	Part	00	07.5	00 19
	182	Part	00	29.0	00 72
	191/2	Part	00	66.5	01 64
	190	Part	00	34.5	00 85
Kothuru	285/1	Part	00	16.5	00 41
	285/2	Part	00	03.5	00 09
	286/2	Part	00	07.0	00 17
	286/3	Part	00	17.5	00 43
Gajjannapudi	215	Part	00	02.5	00 06
	216/1	Part	00	14.0	00 34
	216/2	Part	00	08.5	00 21
	217/2	Part	00	15.0	00 37
	217/3	Part	00	20.5	00 51
	220	Part	00	51.0	01 25
	231/1	Part	00	01.0	00 03
	231/2	Part	00	23.5	00 58
	234	Part	00	00.5	00 01
	235/1	Part	00	11.0	00 27
	235/3	Part	00	17.0	00 42
Sarabhavaram	72/1	Part	00	15.0	00 37
	71/1	Part	00	01.0	00 03
	70/1	Part	00	37.5	00 93
	66/1	Part	00	09.5	00 24
	65/4	Part	00	03.0	00 08

(1)	(2)	(3)	(4)	(5)	(6)
Sarabhavaram (Contd..)	84	Part	00	19.5	00 48
	97	Part	00	11.0	00 27
	98/1	Part	00	18.0	00 45
	98/2	Part	00	03.5	00 09
	99/1	Part	00	03.0	00 08
	99/2	Part	00	23.5	00 58
	108	Part	00	36.0	00 89
	109	Part	00	11.0	00 27
	113/2	Part	00	08.0	00 20
	110/1	Part	00	00.5	00 01
	110/2	Part	00	20.5	00 51
	111/1	Part	00	03.0	00 07
	111/2	Part	00	20.0	00 49
	121/2	Part	00	01.0	00 02
	121/3	Part	00	31.0	00 77
	119	Part	00	24.0	00 59
	128/1	Part	00	21.0	00 51
	128/2	Part	00	23.0	00 57
	126	Part	00	06.5	00 16
	127/1	Part	00	27.5	00 68
	125	Part	00	19.5	00 48
Vommangl	42	Part	00	26.5	00 66
	37	Part	00	02.5	00 06
	38	Part	00	35.0	00 87
	20	Part	00	18.5	00 46
	19	Part	00	05.0	00 12
	17	Part	00	40.0	00 99
	15/2	Part	00	05.0	00 12
	12/1	Part	00	23.0	00 57
	12/2	Part	00	23.5	00 58
	12/3	Part	00	23.5	00 58
	11/4	Part	00	01.5	00 04
	11/3	Part	00	12.5	00 31
	72/1	Part	00	31.0	00 77
	72/2	Part	00	20.0	00 49
	71/3	Part	00	07.0	00 17
	71/2	Part	00	01.0	00 03
	71/1	Part	00	19.5	00 48
	73	Part	00	09.5	00 23
	74	Part	00	28.5	00 70

(1)	(2)	(3)	(4)	(5)	(6)	
Uttarakanchi	252/3	Part	00	00.5	00	01
	252/4	Part	00	10.5	00	26
	252/5	Part	00	48.5	01	20
	253	Part	00	24.5	00	61
	234/1	Part	00	03.5	00	09
	234/2	Part	00	11.0	00	27
	233	Part	00	10.5	00	26
	220	Part	00	28.5	00	71
	222	Part	00	13.5	00	33
	198/1	Part	00	21.5	00	53
	198/2	Part	00	15.0	00	37
	197	Part	00	05.5	00	13
	196	Part	00	25.0	00	62
	193	Part	00	10.5	00	26
Lampakalova	200	Part	00	19.0	00	47
	201	Part	00	14.0	00	34
	199	Part	00	22.0	00	55
	91	Part	00	00.5	00	01
	92	Part	00	24.0	00	59
	93	Part	00	15.5	00	38
	185	Part	00	20.0	00	49
	94/2	Part	00	00.5	00	01
	184/1	Part	00	07.5	00	19
	184/2	Part	00	18.0	00	45
	183	Part	00	13.0	00	32
	182	Part	00	16.5	00	41
	175/1	Part	00	05.5	00	13
	175/3	Part	00	26.5	00	65
	176/1	Part	00	16.0	00	39
	170	Part	00	19.5	00	48
	158	Part	00	11.0	00	27
	169/3	Part	00	01.0	00	03
	160/5	Part	00	05.0	00	12
	160/6	Part	00	03.0	00	08
	159	Part	00	27.0	00	67
	151/1	Part	00	12.0	00	30
	112/2	Part	00	02.0	00	05
	112/3	Part	00	14.5	00	36
	112/5	Part	00	00.5	00	01
	113/2	Part	00	05.0	00	12

(1)	(2)	(3)	(4)	(5)	(6)	
Lampakalova (Contd..)	111/1	Part	00	07.5	00	18
	111/2	Part	00	05.5	00	13
	111/4	Part	00	10.0	00	25
	117	Part	00	23.5	00	58
	118	Part	00	09.5	00	24
	141	Part	00	23.5	00	58
	127	Part	00	00.5	00	01
	140	Part	00	28.5	00	71
	130	Part	00	25.0	00	62
	135	Part	00	17.5	00	43
	134	Part	00	04.0	00	10
	132/1	Part	00	06.5	00	16
	132/2	Part	00	08.0	00	20
	133	Part	00	14.0	00	34
	P.Jagannadhapuram	170/1B	Part	00	03.0	00
170/2		Part	00	01.0	00	02
169/1		Part	00	27.5	00	68
161		Part	00	06.0	00	15
160/2		Part	00	00.5	00	01
Pedasankarlapudi	285	Part	00	15.5	00	38
	286	Part	00	10.5	00	26
	288/2	Part	00	31.0	00	77
	299/1	Part	00	23.0	00	57
	298/2	Part	00	00.5	00	01
Chinasankarlapudi	300	Part	00	37.5	00	93
	112/9	Part	00	05.0	00	12
	125/1	Part	00	15.0	00	37
	125/2	Part	00	07.0	00	17
	125/3	Part	00	00.5	00	01
	124/1	Part	00	02.0	00	05
	124/3	Part	00	06.0	00	15
	124/4	Part	00	03.0	00	08
	123/4	Part	00	07.5	00	18
	123/5	Part	00	10.0	00	25
	127/2A	Part	00	06.0	00	15
	127/3	Part	00	02.0	00	05
	122	Part	00	01.0	00	03
	129	Part	00	27.5	00	67
	133/1A	Part	00	05.5	00	14
	133/1B	Part	00	07.0	00	17

(1)	(2)		(3)	(4)	(5)	(6)
Chlnasankarlapudi (Contd..)	133/1C	Part	00	05.5	00	14
	133/1D	Part	00	07.0	00	17
Eluru	133/2	Part	00	04.0	00	10
	130/2	Part	00	09.5	00	24
	132/1B	Part	00	01.0	00	03
	132/1A	Part	00	25.0	00	61
	99/5	Part	00	02.5	00	06
	170/3	Part	00	01.0	00	03
	170/4	Part	00	03.0	00	08
	170/5	Part	00	05.5	00	13
	170/6	Part	00	04.0	00	10
	170/7	Part	00	03.5	00	09
	170/9	Part	00	04.0	00	10
	170/10	Part	00	04.0	00	10
	170/11	Part	00	04.0	00	10
	170/12	Part	00	03.0	00	08
	170/13	Part	00	03.5	00	09
	170/14	Part	00	01.0	00	02
	169/7	Part	00	00.5	00	01
	169/8	Part	00	02.0	00	05
	169/10	Part	00	07.0	00	17
	169/11	Part	00	07.5	00	18
	167/11	Part	00	07.5	00	19
	167/12	Part	00	06.0	00	15
	166/13	Part	00	10.0	00	25
	166/14	Part	00	01.5	00	04
	158/1A	Part	00	10.5	00	26
	159/1	Part	00	22.5	00	55
	160/1	Part	00	09.0	00	23
	160/2	Part	00	23.5	00	58
	68/1	Part	00	08.0	00	20
	59/2	Part	00	06.5	00	16
	59/4	Part	00	07.0	00	18
	59/5	Part	00	08.5	00	21
	80/1	Part	00	11.0	00	27
	78/1A2	Part	00	10.5	00	26
78/1B1	Part	00	10.0	00	25	
78/1B2	Part	00	07.5	00	19	
78/2A	Part	00	04.0	00	10	
88/1A	Part	00	01.5	00	04	

(1)	(2)	(3)	(4)	(5)	(6)
Eluru (Contd..)	93	Part	00	00.5	00
	92/1	Part	00	14.0	00
	92/2A	Part	00	14.0	00
	94	Part	00	01.0	00
	95	Part	00	46.0	01
	96	Part	00	14.5	00
	99	Part	00	45.0	01

, Jo R-31015/14/96—OR—II]

K C. KATOCH. Under Secy.

नई दिल्ली, 14 जनवरी, 1997

का. आ. 150.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 § 1962 का 50 § जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा § 1 § और § 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2658 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 31 अक्टूबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा § 1 § के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा § 1 § द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा § 4 § द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : जग्गमपेटा

जिला : कृष्णा

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन		क्षेत्रफल				
			हेक्टेअर	आर	एकड़	सेन्ट	
(1)	(2)		(3)	(4)	(5)	(6)	
मोमिडाडा	371	भाग	00	16.0	00	40	
	369/1	भाग	00	01.0	00	03	
	369/2	भाग	00	12.0	00	30	
	369/3	भाग	00	15.5	00	39	
	361/6	भाग	00	23.5	00	68	
	360/1	भाग	00	01.5	00	04	
	355/4	भाग	00	00.5	00	01	
	356/1	भाग	00	11.5	00	29	
	356/2	भाग	00	03.0	00	07	
	356/3	भाग	00	12.5	00	31	
	346/2	भाग	00	08.5	00	21	
	348/3	भाग	00	16.5	00	41	
	344/1	भाग	00	03.0	00	08	
	344/2	भाग	00	05.5	00	14	
	344/3	भाग	00	15.5	00	38	
	343/1	भाग	00	00.5	00	01	
	340/6	भाग	00	02.0	00	05	
	342	भाग	00	39.5	00	97	
	इरिपाका	98	भाग	00	49.5	01	22
		99	भाग	00	24.0	00	59
96		भाग	00	50.0	01	23	
80		भाग	00	15.5	00	38	
79		भाग	00	27.0	00	67	
74		भाग	00	48.5	01	20	
70		भाग	00	17.0	00	42	
71		भाग	00	16.0	00	40	
72/1		भाग	00	05.5	00	13	
72/2		भाग	00	09.5	00	24	
68		भाग	00	07.5	00	19	
28/4		भाग	00	00.5	00	01	
29		भाग	00	31.5	00	78	
31/1		भाग	00	19.5	00	48	

(1)	(2)	(3)	(4)	(5)	(6)
इरिपाका सतत....	31/2	भाग	00	09.5	00 24
	31/3	भाग	00	04.0	00 10
	33/1	भाग	00	11.5	00 29
	34	भाग	00	12.5	00 31
	35	भाग	00	34.0	00 84
कन्द्रेगुला	428/1	भाग	00	98.5	02 44
	428/2	भाग	00	05.0	00 12
	428/3	भाग	00	05.0	00 13
	432/1A	भाग	00	06.5	00 16
	432/1B	भाग	00	02.5	00 06
	432/2	भाग	00	06.5	00 16
	430/3	भाग	00	00.5	00 01
	430/4	भाग	00	16.0	00 40
	430/5	भाग	00	07.5	00 19
	430/6	भाग	00	03.5	00 09
	429/1B	भाग	00	05.0	00 12
	429/2B	भाग	00	07.5	00 18
	429/3	भाग	00	01.5	00 04
	411/1	भाग	00	14.0	00 35
	411/2	भाग	00	07.5	00 18
	411/3	भाग	00	09.5	00 23
	380	भाग	00	93.5	02 31
	379	भाग	00	14.0	00 34
	381/1	भाग	00	09.0	00 22
	381/2	भाग	00	03.0	00 08
	382/2A	भाग	00	07.0	00 17
	382/2G	भाग	00	06.0	00 15
	382/2I	भाग	00	09.0	00 22
	407	भाग	00	14.0	00 35
	405/2	भाग	00	15.5	00 38
	406/3	भाग	00	07.0	00 17
	404/1A	भाग	00	01.0	00 02
	392/1	भाग	00	10.0	00 25
	392/2	भाग	00	14.0	00 35
	393/2	भाग	00	11.0	00 27
	393/4	भाग	00	13.0	00 32
	228/2	भाग	00	09.0	00 22
	228	भाग	00	19.0	00 47
	220/1	भाग	00	02.5	00 08
	221/1	भाग	00	14.5	00 36
	221/3A	भाग	00	12.0	00 30

(1)	(2)	(3)	(4)	(5)	(6)
कन्द्रेगुला § संतत.... §	222/2	भाग	00	24.5	00 60
	222/4	भाग	00	01.0	00 02
	223/1	भाग	00	03.0	00 07
	224/2	भाग	00	03.0	00 08
	224/3	भाग	00	22.5	00 55
	239/2B	भाग	00	01.0	00 03
	240/2	भाग	00	29.0	00 72
	240/3	भाग	00	18.5	00 46
मन्यनवरिपालेम	117/1	भाग	00	01.5	00 04
	117/2	भाग	00	20.0	00 50
	117/3	भाग	00	25.0	00 62
	121/3	भाग	00	21.5	00 53
	121/4	भाग	00	07.5	00 18
	122/1	भाग	00	01.0	00 02
	122/2A	भाग	00	16.5	00 41
	122/3	भाग	00	07.0	00 17
	122/4	भाग	00	07.5	00 19
	124/2	भाग	00	04.0	00 10
	124/3	भाग	00	03.0	00 08
	124/4	भाग	00	04.0	00 10
	124/5	भाग	00	01.5	00 04
	124/6	भाग	00	29.5	00 73
	126/5	भाग	00	08.0	00 20
	129/4	भाग	00	06.0	00 15
	128/4	भाग	00	14.0	00 35
	128/3	भाग	00	02.5	00 06
	128/6	भाग	00	22.5	00 55
	141/1A	भाग	00	05.0	00 12
	66/1	भाग	00	06.0	00 15
	66/2	भाग	00	02.5	00 06
	66/3	भाग	00	03.0	00 07
	66/4	भाग	00	04.0	00 10
	66/5	भाग	00	01.0	00 02
	64/1	भाग	00	07.5	00 18
	64/2C	भाग	00	13.5	00 33
	65/1	भाग	00	00.5	00 01
	66/2	भाग	00	02.0	00 05
	63/11	भाग	00	00.5	00 01
	59/3	भाग	00	15.5	00 39
	59/4	भाग	00	08.0	00 20
	58/1A	भाग	00	01.5	00 03

(1)	(2)	(3)	(4)	(5)	(6)
मन्यमवारिपालेम § संतत... § राजापुडि	60/1	भाग	00	14.5	00 36
	60/2A	भाग	00	10.0	00 25
	60/3	भाग	00	03.0	00 07
	60/4A	भाग	00	00.5	00 01
	35/1	भाग	00	17.5	00 43
	35/2	भाग	00	13.5	00 33
	40/1	भाग	00	08.5	00 21
	41/1A	भाग	00	01.0	00 02
	41/2	भाग	00	06.0	00 15
	41/3	भाग	00	09.0	00 22
	32	भाग	00	08.0	00 20
	273/4	भाग	00	06.0	00 15
	273/5	पुरा	00	02.5	00 06
	273/6	भाग	00	01.0	00 03
	272/1	भाग	00	10.5	00 27
	272/2	भाग	00	17.5	00 43
	272/6	भाग	00	05.5	00 13
	269/5E	भाग	00	05.5	00 13
	269/6	भाग	00	15.0	00 37
	269/8	भाग	00	14.5	00 36
	266/4	भाग	00	00.5	00 01
	266/5	भाग	00	14.0	00 34
	266/6	भाग	00	25.5	00 63
	253/1	भाग	00	05.5	00 13
	253/2	भाग	00	02.0	00 05
	253/3	भाग	00	06.0	00 15
	253/7A	भाग	00	00.5	00 01
	253/7C	भाग	00	05.0	00 12
	253/8	भाग	00	01.0	00 02
	253/9	भाग	00	08.0	00 20
	252/2	भाग	00	00.5	00 01
	252/3	भाग	00	14.0	00 35
	252/4	भाग	00	04.0	00 10
	251/3	भाग	00	09.5	00 24
	251/5	भाग	00	04.0	00 10
	250/5	भाग	00	11.5	00 29
	250/9	भाग	00	12.5	00 31
	250/11	भाग	00	09.0	00 22
	165/2	भाग	00	22.5	00 55
	165/1	भाग	00	02.0	00 05
	166/1	भाग	00	23.0	00 67

(1)	(2)	(3)	(4)	(5)	(6)	
राजापुडि संतत... मल्लिशाला	205/3A	भाग	00	24.0	00	60
	205/3B	भाग	00	03.0	00	07
	190/1A	भाग	00	42.0	01	03
	201/3	भाग	00	10.5	00	26
	192/1	भाग	00	14.0	00	34
	192/4	भाग	00	04.0	00	10
	194/1	भाग	00	01.5	00	04
	194/3	भाग	00	12.6	00	31
	102/2A	भाग	00	21.5	00	53
	102/2B	भाग	00	18.0	00	45
	33/4	भाग	00	03.0	00	09
	34/1	भाग	00	49.0	01	21
	30/2	भाग	00	15.0	00	37
	36	भाग	00	22.0	00	54
	42	भाग	01	00.0	02	47
	303	भाग	00	22.5	00	56
	302/2	भाग	00	13.0	00	32
	300/1	भाग	00	05.5	00	13
	300/2	भाग	00	05.0	00	12
	300/6	भाग	00	06.5	00	16
	300/7A	भाग	00	05.0	00	12
	298/1	भाग	00	02.5	00	06
	298/2	भाग	00	02.0	00	05
	298/3	भाग	00	03.0	00	07
	298/4	भाग	00	02.0	00	05
	298/5	भाग	00	01.0	00	02
	298/6	भाग	00	00.5	00	01
	298/7	भाग	00	03.0	00	07
	298/8	भाग	00	01.0	00	02
	298/9	भाग	00	08.5	00	21
	298/10	भाग	00	03.0	00	07
	298/13A	भाग	00	05.5	00	14
	298/13C	भाग	00	05.5	00	13
	296/9	भाग	00	21.0	00	52
	308/1	भाग	00	20.0	00	50
	309/3	भाग	00	00.5	00	01
	311/1	भाग	00	07.0	00	17
	311/2	भाग	00	03.0	00	08
	311/3	भाग	00	00.5	00	01

(1)	(2)	(3)	(4)	(5)	(6)
मल्लिशाला संतत...	310/1	भाग	00	30.5	00 75
	310/2	भाग	00	00.5	00 01
	188/2	भाग	00	05.5	00 14
	188/3	भाग	00	09.5	00 24
	188/4	भाग	00	00.5	00 01
	188/5	भाग	00	07.0	00 18
	188/6	भाग	00	00.6	00 01
	189/7	भाग	00	08.0	00 20
	190/2	भाग	00	02.5	00 06
	184/1	भाग	00	18.0	00 45
	182/1	भाग	00	03.0	00 20
	182/2	भाग	00	01.5	00 04
	168/1	भाग	00	31.0	00 77
	157/3	भाग	00	00.5	00 01
	168/2A	भाग	00	05.0	00 12
	159/2A	भाग	00	02.5	00 06
	159/2B	भाग	00	09.5	00 24
	160/2	भाग	00	13.6	00 33
	166/1	भाग	00	02.0	00 05
	161/2A	भाग	00	11.5	00 29
	161/2B	भाग	00	09.5	00 24
	161/2C	भाग	00	19.5	00 48
	162/3	भाग	00	04.0	00 10
	165/1	भाग	00	15.5	00 35
	164/2	भाग	00	11.5	00 22
	164/3	भाग	00	11.0	00 27
	141	भाग	00	51.5	01 27
	142	भाग	00	13.5	00 33
	138	भाग	00	77.5	01 91
	137	भाग	00	52.5	01 30
	136	भाग	00	02.5	00 06
	353	भाग	00	56.5	01 39
	167/1	भाग	00	01.0	00 03
	187	भाग	00	16.5	00 41

[फा. सं. आर.—31015/15/96—ओ. आर.-II]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S O. 150.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2658 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 31st October, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule

Mandal: Jaggampeta

District: East Godavari

State : Andhra Pradesh

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Mamidada	371	Part	00	16.0	00	40
	369/1	Part	00	01.0	00	03
	369/2	Part	00	12.0	00	30
	369/3	Part	00	15.5	00	39
	361/6	Part	00	23.5	00	58
	360/1	Part	00	01.5	00	04
	355/4	Part	00	00.5	00	01
	356/1	Part	00	11.5	00	29
	356/2	Part	00	03.0	00	07
	356/3	Part	00	12.5	00	31
	346/2	Part	00	08.5	00	21
	346/3	Part	00	16.5	00	41
	344/1	Part	00	03.0	00	08
	344/2	Part	00	05.5	00	14
	344/3	Part	00	15.5	00	38
	343/1	Part	00	00.5	00	01
	340/6	Part	00	02.0	00	05
	342	Part	00	39.5	00	97
Irripaka	98	Part	00	49.5	01	22
	99	Part	00	24.0	00	59
	96	Part	00	50.0	01	23
	80	Part	00	15.5	00	38
	79	Part	00	27.0	00	67
	74	Part	00	48.5	01	20
	70	Part	00	17.0	00	42
	71	Part	00	16.0	00	40
	72/1	Part	00	05.5	00	13
	72/2	Part	00	09.5	00	24
	68	Part	00	07.5	00	19
	28/4	Part	00	00.5	00	01
	29	Part	00	31.5	00	78
	31/1	Part	00	19.5	00	48

(1)	(2)	(3)	(4)	(5)	(6)	
Irripaka (Contd..)	31/2	Part	00	09.5	00	24
	31/3	Part	00	04.0	00	10
	33/1	Part	00	11.5	00	29
	34	Part	00	12.5	00	31
	35	Part	00	34.0	00	84
Kandregula	428/1	Part	00	98.5	02	44
	428/2	Part	00	05.0	00	12
	428/3	Part	00	05.0	00	13
	432/1A	Part	00	06.5	00	16
	432/1B	Part	00	02.5	00	06
	432/2	Part	00	06.5	00	16
	430/3	Part	00	00.5	00	01
	430/4	Part	00	16.0	00	40
	430/5	Part	00	07.5	00	18
	430/6	Part	00	03.5	00	09
	429/1B	Part	00	05.0	00	12
	429/2B	Part	00	07.5	00	18
	429/3	Part	00	01.5	00	04
	411/1	Part	00	14.0	00	35
	411/2	Part	00	07.5	00	18
	411/3	Part	00	09.5	00	23
	380	Part	00	93.5	02	31
	379	Part	00	14.0	00	34
	381/1	Part	00	09.0	00	22
	381/2	Part	00	03.0	00	08
	382/2A	Part	00	07.0	00	17
	382/2G	Part	00	06.0	00	15
	382/2I	Part	00	09.0	00	22
	407	Part	00	14.0	00	35
	406/2	Part	00	15.5	00	38
	405/3	Part	00	07.0	00	17
	404/1A	Part	00	01.0	00	02
	392/1	Part	00	10.0	00	25
	392/2	Part	00	14.0	00	35
	393/2	Part	00	11.0	00	27
	393/4	Part	00	13.0	00	32
	228/2	Part	00	09.0	00	22
	226	Part	00	19.0	00	47
	220/1	Part	00	02.5	00	06
	221/1	Part	00	14.5	00	36
	221/3A	Part	00	12.0	00	30

(1)	(2)	(3)	(4)	(5)	(6)
Kandregula (Contd..)	222/2	Part	00	24.5	00 60
	222/4	Part	00	01.0	00 02
	223/1	Part	00	03.0	00 07
	224/2	Part	00	03.0	00 08
	224/3	Part	00	22.5	00 55
	239/2B	Part	00	01.0	00 03
	240/2	Part	00	29.0	00 72
	240/3	Part	00	18.5	00 46
	117/1	Part	00	01.5	00 04
	117/2	Part	00	20.0	00 50
Manyamvaripalem	117/3	Part	00	25.0	00 62
	121/3	Part	00	21.5	00 53
	121/4	Part	00	07.5	00 18
	122/1	Part	00	01.0	00 02
	122/2A	Part	00	16.5	00 41
	122/3	Part	00	07.0	00 17
	122/4	Part	00	07.5	00 19
	124/2	Part	00	04.0	00 10
	124/3	Part	00	03.0	00 08
	124/4	Part	00	04.0	00 10
	124/5	Part	00	01.5	00 04
	124/6	Part	00	29.5	00 73
	126/6	Part	00	08.0	00 20
	129/4	Part	00	06.0	00 15
	128/4	Part	00	14.0	00 35
	128/3	Part	00	02.5	00 06
	128/6	Part	00	22.5	00 55
	141/1A	Part	00	05.0	00 12
	66/1	Part	00	06.0	00 15
	66/2	Part	00	02.5	00 06
	66/3	Part	00	03.0	00 07
	66/4	Part	00	04.0	00 10
	66/5	Part	00	01.0	00 02
	64/1	Part	00	07.5	00 18
	64/2C	Part	00	13.5	00 33
	65/1	Part	00	00.5	00 01
	66/2	Part	00	02.0	00 05
	63/11	Part	00	00.5	00 01
	59/3	Part	00	15.5	00 39
	59/4	Part	00	08.0	00 20
	58/1A	Part	00	01.5	00 03

(1)	(2)	(3)	(4)	(5)	(6)
Manyamvaripalem (Contd..)	60/1	Part	00	14.5	00 36
	60/2A	Part	00	10.0	00 25
	60/3	Part	00	03.0	00 07
	60/4A	Part	00	00.5	00 01
	35/1	Part	00	17.5	00 43
	35/2	Part	00	13.5	00 33
	40/1	Part	00	08.5	00 21
	41/1A	Part	00	01.0	00 02
	41/2	Part	00	06.0	00 15
	41/3	Part	00	09.0	00 22
Rajapudi	32	Part	00	08.0	00 20
	273/4	Part	00	06.0	00 15
	273/5	Full	00	02.5	00 06
	273/6	Part	00	01.0	00 03
	272/1	Part	00	10.5	00 27
	272/2	Part	00	17.5	00 43
	272/6	Part	00	05.5	00 13
	269/5E	Part	00	05.5	00 13
	269/6	Part	00	15.0	00 37
	269/8	Part	00	14.5	00 36
	266/4	Part	00	00.5	00 01
	266/5	Part	00	14.0	00 34
	266/6	Part	00	25.5	00 63
	253/1	Part	00	05.5	00 13
	253/2	Part	00	02.0	00 05
	253/3	Part	00	06.0	00 15
	253/7A	Part	00	00.5	00 01
	253/7C	Part	00	05.0	00 12
	253/8	Part	00	01.0	00 02
	253/9	Part	00	08.0	00 20
	252/2	Part	00	00.5	00 01
	252/3	Part	00	14.0	00 35
	252/4	Part	00	04.0	00 10
	251/3	Part	00	09.5	00 24
	251/5	Part	00	04.0	00 10
	250/5	Part	00	11.5	00 29
	250/9	Part	00	12.5	00 31
	250/11	Part	00	09.0	00 22
	165/2	Part	00	22.5	00 55
	165/1	Part	00	02.0	00 05
	166/1	Part	00	23.0	00 57

(1)	(2)	(3)	(4)	(5)	(6)	
Rajapudi (Contd..)	205/3A	Part	00	24.0	00	60
	205/3B	Part	00	03.0	00	07
	190/1A	Part	00	42.0	01	03
	201/3	Part	00	10.5	00	26
	192/1	Part	00	14.0	00	34
	192/4	Part	00	04.0	00	10
	194/1	Part	00	01.5	00	04
	194/3	Part	00	12.5	00	31
	102/2A	Part	00	21.5	00	53
	102/2B	Part	00	18.0	00	45
	33/4	Part	00	03.0	00	09
	34/1	Part	00	49.0	01	21
	30/2	Part	00	15.0	00	37
	36	Part	00	22.0	00	64
	42	Part	01	00.0	02	47
Mallisala	303	Part	00	22.5	00	56
	302/2	Part	00	13.0	00	32
	300/1	Part	00	05.5	00	13
	300/2	Part	00	05.0	00	12
	300/6	Part	00	06.5	00	16
	300/7A	Part	00	05.0	00	12
	298/1	Part	00	02.5	00	06
	298/2	Part	00	02.0	00	05
	298/3	Part	00	03.0	00	07
	298/4	Part	00	02.0	00	05
	298/5	Part	00	01.0	00	02
	298/6	Part	00	00.5	00	01
	298/7	Part	00	03.0	00	07
	298/8	Part	00	01.0	00	02
	298/9	Part	00	08.5	00	21
	298/10	Part	00	03.0	00	07
	298/13A	Part	00	05.5	00	14
	298/13C	Part	00	05.5	00	13
	296/9	Part	00	21.0	00	52
	308/1	Part	00	20.0	00	50
	309/3	Part	00	00.5	00	01
	311/1	Part	00	07.0	00	17
	311/2	Part	00	03.0	00	08
	311/3	Part	00	00.5	00	01

(1)	(2)	(3)	(4)	(5)	(6)
Mallisala (Contd.)	310/1	Part	00	30.5	00 75
	310/2	Part	00	00.5	00 01
	188/2	Part	00	05.5	00 14
	188/3	Part	00	09.5	00 24
	188/4	Part	00	00.5	00 01
	188/5	Part	00	07.0	00 18
	188/6	Part	00	00.5	00 01
	189/7	Part	00	08.0	00 20
	190/2	Part	00	02.5	00 06
	184/1	Part	00	18.0	00 45
	182/1	Part	00	08.0	00 20
	182/2	Part	00	01.5	00 04
	168/1	Part	00	31.0	00 77
	157/3	Part	00	00.5	00 01
	158/2A	Part	00	05.0	00 12
	159/2A	Part	00	02.5	00 06
	159/2B	Part	00	09.5	00 24
	160/2	Part	00	13.5	00 33
	166/1	Part	00	02.0	00 05
	161/2A	Part	00	11.5	00 29
	161/2B	Part	00	09.5	00 24
	161/2C	Part	00	19.5	00 48
	162/3	Part	00	04.0	00 10
	165/1	Part	00	15.5	00 38
	164/2	Part	00	11.5	00 28
	164/3	Part	00	11.0	00 27
	141	Part	00	51.5	01 27
	142	Part	00	13.5	00 33
	138	Part	00	77.5	01 91
	137	Part	00	52.5	01 30
	136	Part	00	02.5	00 06
	353	Part	00	56.5	01 39
	167/1	Part	00	01.0	00 03
	187	Part	00	16.5	00 41

[No. R-31015/15/96—OR—II]

K.C. KATOCH, Under Secy.

नई दिल्ली, 14 जनवरी, 1997

का. आ. 151.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 का 50 जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा 1 और 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2664 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 28 अक्टूबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : चिंतलपुडी

जिला : पश्चिम गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	प्लॉट नं./ तब डिविजन		हेक्टेयर	क्षेत्रफल		
				आर	एकड़	सेन्ट
(1)	(2)		(3)	(4)	(5)	(6)
तंकुपकुरम	14/3	भाग	00	42.5	01	06
	15/3	भाग	00	18.5	00	46
	16/2	भाग	00	32.5	00	81
	16/1	भाग	00	08.5	00	21
	17/3	भाग	00	15.5	00	33
	8/4	भाग	00	19.0	00	46
	7/1A	भाग	00	07.5	00	19
	7/1B	भाग	00	01.6	00	04
	5/3	भाग	00	07.5	00	19
	5/1	भाग	00	10.5	00	26
	3/2	भाग	00	06.5	00	16
	3/1	भाग	00	25.0	00	61
	3/3	भाग	00	00.5	00	01
	4/1	भाग	00	01.0	00	02
पूगडाभरम	707/1	भाग	00	01.0	00	02
	708/C	भाग	00	18.5	00	46
	705	भाग	00	47.5	01	17
	703/1	भाग	00	10.5	00	26
	703/2	भाग	00	31.5	00	78
	702/2	भाग	00	04.5	00	11
	702/3	भाग	00	05.5	00	13
	702/5	भाग	00	05.0	00	12
	702/6	भाग	00	06.0	00	15
	702/9	भाग	00	13.5	00	33
	673/B2	भाग	00	34.0	00	84
	673/B3	भाग	00	01.5	00	04
	670/C1	भाग	00	23.5	00	58
	670/C2	भाग	00	02.0	00	05
	669/B5C	भाग	00	08.0	00	20
	669/B5D	भाग	00	07.5	00	19
	668/1B	भाग	00	11.0	00	27
	668/1C	भाग	00	03.0	00	08
	668/1D	भाग	00	02.0	00	05

(1)	(2)	(3)	(4)	(5)	(6)
प्रगडाभरम § संतत. . §	668/1E	भाग	00	02.6	00 06
	610/3D	भाग	00	11.0	00 27
	610/3E	भाग	00	03.5	00 09
	610/3F	भाग	00	00.5	00 01
	610/3A	भाग	00	01.0	00 02
	611/3	भाग	00	14.0	00 34
	611/4	भाग	00	01.0	00 02
	667/1	भाग	00	06.0	00 15
	612/1	भाग	00	16.5	00 41
	612/2	भाग	00	01.0	00 02
	620/1	भाग	00	15.5	00 38
	620/2	भाग	00	03.0	00 08
	619	भाग	00	18.0	00 45
	617/1	भाग	00	06.9	00 16
	617/3	भाग	00	02.5	00 06
	641	भाग	00	07.5	00 18
	642	भाग	00	05.5	00 14
	640/1	भाग	00	09.5	00 23
	640/2	भाग	00	07.5	00 19
	646/1	भाग	00	00.5	00 01
	639	भाग	00	05.0	00 12
	647/1	भाग	00	11.5	00 28
	480/1	भाग	00	01.0	00 02
	480/2	भाग	00	10.0	00 25
	480/3	भाग	00	01.0	00 02
	479	भाग	00	14.0	00 35
	478	भाग	00	11.5	00 28
	477/1	भाग	00	04.5	00 11
	477/2A	भाग	00	03.5	00 09
	477/2B	भाग	00	00.5	00 01
	475/1	भाग	00	03.0	00 07
	475/2	भाग	00	02.5	00 06
	475/3	भाग	00	03.0	00 08
	474	भाग	00	15.5	00 39
	472/1	भाग	00	06.5	00 16
	472/2	भाग	00	02.0	00 05
	472/3	भाग	00	00.5	00 01
	473/1	भाग	00	02.5	00 06
	473/2	भाग	00	03.0	00 07
	473/4	भाग	00	00.5	00 01
	473/5	भाग	00	03.0	00 08
	468/2	भाग	00	03.0	00 07

(1)	(2)	(3)	(4)	(5)	(6)
प्रगडाभरम : सतत...	468/3	भाग	00	03.0	00 08
	468/4	भाग	00	03.0	00 08
	468/5	भाग	00	07.0	00 17
	469/1	भाग	00	01.0	00 03
	467	भाग	00	09.0	00 22
	466	भाग	00	14.0	00 35
	465	भाग	00	13.0	00 32
	464/2	भाग	00	02.0	00 05
	458/2	भाग	00	07.0	00 17
	458/3	भाग	00	01.0	00 02
	458/5	भाग	00	04.0	00 10
	458/6	भाग	00	12.0	00 30
	345/1	भाग	00	00.5	00 01
	345/2A	भाग	00	02.5	00 06
	345/2B	भाग	00	02.5	00 06
	345/3	भाग	00	04.0	00 10
	345/4	भाग	00	06.0	00 15
	345/5	भाग	00	07.0	00 17
	345/8	भाग	00	02.0	00 05
	346/4	भाग	00	04.5	00 11
	348/1	भाग	00	11.0	00 27
	452	भाग	00	01.5	00 04
	451	भाग	00	16.0	00 40
	367/1	भाग	00	21.5	00 53
	380/1	भाग	00	06.5	00 16
	380/2	भाग	00	09.5	00 23
	369/2	भाग	00	02.0	00 05
	378	भाग	00	12.0	00 30
	296/2	भाग	00	02.0	00 05
	296/3	भाग	00	05.5	00 14
	296/4	भाग	00	08.5	00 21
	296/5	भाग	00	02.0	00 05
	296/7	भाग	00	11.5	00 28
	296/9	भाग	00	05.5	00 13
	296/10	भाग	00	04.0	00 10
	296/11	भाग	00	03.0	00 07
	296/12	भाग	00	01.0	00 02
	301/1A	भाग	00	12.0	00 30
	1112/1	भाग	00	02.5	00 06
	306	भाग	00	23.0	00 57
	290	भाग	00	00.5	00 01
	130/2	भाग	00	11.5	00 28

(1)	(2)	(3)	(4)	(5)	(6)
प्रगडाभरम § संतत... §	130/3	भाग	00	20.0	00 50
	130/4A	भाग	00	21.5	00 54
	124	भाग	00	02.0	00 05
	125/1	भाग	00	20.5	00 51
	123/1	भाग	00	42.5	01 05
	104/1	भाग	00	35.0	00 86
	105	भाग	00	20.5	00 51
	106	भाग	00	11.0	00 27
	107/1	भाग	00	16.5	00 41
	107/2	भाग	00	03.5	00 09
	93/1	भाग	00	02.5	00 06
	61/1	भाग	00	02.5	00 06
	61/2	भाग	00	05.5	00 14
	60/1	भाग	00	01.0	00 03
	45/1	भाग	00	06.5	00 16
	45/2	भाग	00	03.5	00 09
	46/1	भाग	00	08.0	00 20
	46/2	भाग	00	09.5	00 23
	47/1B	भाग	00	02.0	00 05
	47/2A	भाग	00	12.5	00 31
	48	भाग	00	07.0	00 17
	49/1	भाग	00	18.5	00 45
	49/2	भाग	00	12.5	00 31
	51	भाग	00	01.0	00 03
	56/2B	भाग	00	01.0	00 03
	56/2C	भाग	00	03.0	00 08
	53	भाग	00	16.5	00 41
	54	भाग	00	05.0	00 12
	55/1	भाग	00	10.0	00 25
	68/5	भाग	00	02.0	00 06
	68/6	भाग	00	12.0	00 30
	1111/2	भाग	00	18.5	00 45
	1110/2	भाग	00	24.5	00 61
	1110/4	भाग	00	14.0	00 35
	1109/2	भाग	00	06.0	00 15
	1109/3	भाग	00	30.0	00 74
	1106/1	भाग	00	44.5	01 10
	1106/5	भाग	00	00.5	00 01
एराम्पल्ली	311/3	भाग	00	01.0	00 02
	311/4	भाग	00	00.5	00 01
	311/6	भाग	00	14.5	00 36
	311/8	भाग	00	08.5	00 21

(1)	(2)	(3)	(4)	(5)	(6)
सुराम्पल्ली & संतत...	311/9	भाग	00	06.5	00 16
	311/10	भाग	00	07.5	00 18
	312/2	भाग	00	02.0	00 05
	312/4	भाग	00	17.0	00 42
	312/6	भाग	00	03.0	00 08
	312/7	भाग	00	00.5	00 01
	312/9	भाग	00	00.5	00 01
	312/10	भाग	00	05.0	00 12
	312/11	भाग	00	12.5	00 31
	312/13	भाग	00	05.0	00 12
	312/14	भाग	00	03.5	00 09
	312/15	भाग	00	05.0	00 12
	312/17	भाग	00	03.5	00 09
	313/6	भाग	00	01.0	00 02
	313/8	भाग	00	08.0	00 20
	313/7	भाग	00	06.0	00 15
	313/9	भाग	00	07.5	00 19
	313/10	भाग	00	00.5	00 01
	313/21	भाग	00	04.0	00 10
	350/11	भाग	00	01.0	00 02
	350/21	भाग	00	02.0	00 05
	350/22	भाग	00	04.0	00 10
	304/1	भाग	00	03.5	00 09
	304/4	भाग	00	08.5	00 21
	304/6	भाग	00	05.0	00 12
	302/7	भाग	00	12.5	00 31
	302/9	भाग	00	13.5	00 33
	238/4	भाग	00	08.0	00 20
	238/5	भाग	00	06.5	00 16
	238/6	भाग	00	04.0	00 10
	238/8	भाग	00	01.0	00 03
	241/1	भाग	00	00.5	00 01
	241/3	भाग	00	27.0	00 67
	244/2	भाग	00	00.5	00 01
	242/1	भाग	00	24.0	00 59
	261	भाग	00	03.5	00 08
	260/1	भाग	00	00.5	00 01
	260/2A	भाग	00	01.0	00 03
	260/2B	भाग	00	09.5	00 23
	260/7	भाग	00	14.0	00 34
	260/8	भाग	00	01.5	00 04
	260/3	भाग	00	04.5	00 11

(1)	(2)	(3)	(4)	(5)	(6)
संराम्पल्ली : तंतत... :	260/4	भाग	00	06.0	00 15
	260/6	भाग	00	01.5	00 04
	260/10	भाग	00	00.5	00 01
	259/1	भाग	00	02.5	00 06
	122/5	भाग	00	00.5	00 01
	122/6	भाग	00	03.5	00 09
	122/7	भाग	00	10.0	00 24
	122/8	भाग	00	02.0	00 05
	122/9	भाग	00	03.0	00 08
	122/10	भाग	00	00.5	00 01
	122/12	भाग	00	01.5	00 04
	122/13	भाग	00	00.5	00 01
	120/2	भाग	00	08.5	00 21
	123/4	भाग	00	04.0	00 10
	123/5	भाग	00	02.0	00 05
	123/9	भाग	00	01.5	00 03
	123/10	भाग	00	03.0	00 07
	123/11	भाग	00	02.0	00 04
	123/12A	भाग	00	07.5	00 19
	123/13	भाग	00	07.0	00 17
	108/1B	भाग	00	26.0	00 64
	108/3	भाग	00	16.5	00 41
	108/4	भाग	00	09.5	00 23
	94	भाग	00	11.5	00 29
	93/7	भाग	00	00.5	00 01
	93/17	भाग	00	00.5	00 01
	93/20	भाग	00	00.5	00 01
	93/21	भाग	00	02.0	00 05
	93/22	भाग	00	01.0	00 03
	93/23	भाग	00	00.5	00 01
	88/1	भाग	00	11.0	00 27
	88/2	भाग	00	01.0	00 02
	88/3	भाग	00	02.0	00 05
	88/4	भाग	00	00.5	00 01
	88/6	भाग	00	00.5	00 01
	88/7	भाग	00	00.5	00 01
	88/8	भाग	00	03.0	00 07
	89/3	भाग	00	03.0	00 07
	89/4	भाग	00	02.5	00 06
	89/5	भाग	00	03.0	00 07
	89/6	भाग	00	03.0	00 07
	89/8A	भाग	00	01.0	00 02

(1)	(2)	(3)	(4)	(5)	(6)
सुराम्पल्ली संतत...	89/8C	भाग	00	02.5	00 06
	89/9	भाग	00	01.5	00 04
	89/10	भाग	00	02.0	00 05
	89/11	भाग	00	00.5	00 01
	26	भाग	00	10.5	00 26
	16	भाग	00	14.5	00 36
	6	भाग	00	15.5	00 38
	5	भाग	00	16.0	00 40

[फा. सं. आर.—31015/16/96—ओ. आर.—II]

के. सी. कटोच, अवर सचिव

New Delhi, the 14th January, 1997

S.O. 151.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2664 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 28th October, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

And, further, in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on this date of the publication of this declaration in the Hindustan Petroleum Corporation Limited free from all encumbrances.

Schedule**Mandal: Chintalapudi****District: West Godavari****State : Andhra Pradesh**

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Sankuchakrapuram	14/3	Part	00	42.5	01	05
	15/3	Part	00	18.5	00	48
	16/2	Part	00	32.5	00	81
	16/1	Part	00	08.5	00	21
	17/3	Part	00	15.5	00	38
	8/4	Part	00	19.0	00	48
	7/1A	Part	00	07.5	00	19
	7/1B	Part	00	01.5	00	04
	5/3	Part	00	07.5	00	19
	5/1	Part	00	10.5	00	26
	3/2	Part	00	06.5	00	16
	3/1	Part	00	25.0	00	61
	3/3	Part	00	00.5	00	01
	4/1	Part	00	01.0	00	02
Pragadavaram	707/1	Part	00	01.0	00	02
	708/C	Part	00	18.5	00	46
	705	Part	00	47.5	01	17
	703/1	Part	00	10.5	00	26
	703/2	Part	00	31.5	00	78
	702/2	Part	00	04.5	00	11
	702/3	Part	00	05.5	00	13
	702/5	Part	00	05.0	00	12
	702/6	Part	00	06.0	00	15
	702/9	Part	00	13.5	00	33
	673/B2	Part	00	34.0	00	84
	673/B3	Part	00	01.5	00	04
	670/C1	Part	00	23.5	00	58
	670/C2	Part	00	02.0	00	05
	669/B5C	Part	00	08.0	00	20
	669/B5D	Part	00	07.5	00	19
	668/1B	Part	00	11.0	00	27
	668/1C	Part	00	03.0	00	08
	668/1D	Part	00	02.0	00	05

(1)	(2)	(3)	(4)	(5)	(6)
Pragadavaram (Contd..)	668/1E	Part	00	02.5	00 06
	610/3D	Part	00	11.0	00 27
	610/3E	Part	00	03.5	00 09
	610/3F	Part	00	00.5	00 01
	610/3A	Part	00	01.0	00 02
	611/3	Part	00	14.0	00 34
	611/4	Part	00	01.0	00 02
	667/1	Part	00	06.0	00 15
	612/1	Part	00	16.5	00 41
	612/2	Part	00	01.0	00 02
	620/1	Part	00	15.5	00 38
	620/2	Part	00	03.0	00 08
	619	Part	00	18.0	00 46
	617/1	Part	00	06.5	00 16
	617/3	Part	00	02.5	00 06
	641	Part	00	07.5	00 18
	642	Part	00	05.5	00 14
	640/1	Part	00	09.5	00 23
	640/2	Part	00	07.5	00 19
	646/1	Part	00	00.5	00 01
	639	Part	00	05.0	00 12
	647/1	Part	00	11.5	00 28
	480/1	Part	00	01.0	00 02
	480/2	Part	00	10.0	00 25
	480/3	Part	00	01.0	00 02
	479	Part	00	14.0	00 35
	478	Part	00	11.5	00 28
	477/1	Part	00	04.5	00 11
	477/2A	Part	00	03.5	00 09
	477/2B	Part	00	00.5	00 01
	475/1	Part	00	03.0	00 07
	475/2	Part	00	02.5	00 06
	475/3	Part	00	03.0	00 08
	474	Part	00	15.5	00 39
	472/1	Part	00	06.5	00 16
	472/2	Part	00	02.0	00 05
	472/3	Part	00	00.5	00 01
	473/1	Part	00	02.5	00 06
	473/2	Part	00	03.0	00 07
	473/4	Part	00	00.5	00 01
	473/5	Part	00	03.0	00 08
	468/2	Part	00	03.0	00 07

(1)	(2)	(3)	(4)	(5)	(6)
Pragadavaram (Contd..)	468/3	Part	00	03.0	00 08
	468/4	Part	00	03.0	00 08
	468/5	Part	00	07.0	00 17
	469/1	Part	00	01.0	00 03
	467	Part	00	09.0	00 22
	466	Part	00	14.0	00 35
	465	Part	00	13.0	00 32
	464/2	Part	00	02.0	00 05
	458/2	Part	00	07.0	00 17
	458/3	Part	00	01.0	00 02
	458/5	Part	00	04.0	00 10
	458/6	Part	00	12.0	00 30
	345/1	Part	00	00.5	00 01
	345/2A	Part	00	02.5	00 06
	345/2B	Part	00	02.5	00 06
	345/3	Part	00	04.0	00 10
	345/4	Part	00	06.0	00 18
	345/5	Part	00	07.0	00 17
	345/8	Part	00	02.0	00 05
	346/4	Part	00	04.5	00 11
	348/1	Part	00	11.0	00 27
	452	Part	00	01.5	00 04
	451	Part	00	18.0	00 40
	367/1	Part	00	21.5	00 53
	380/1	Part	00	06.6	00 16
	380/2	Part	00	09.5	00 23
	369/2	Part	00	02.0	00 05
	378	Part	00	12.0	00 30
	296/2	Part	00	02.0	00 05
	296/3	Part	00	05.5	00 14
	296/4	Part	00	08.5	00 21
	296/5	Part	00	02.0	00 05
	296/7	Part	00	11.5	00 28
	296/9	Part	00	05.5	00 13
	296/10	Part	00	04.0	00 10
	296/11	Part	00	03.0	00 07
	296/12	Part	00	01.0	00 02
	301/1A	Part	00	12.0	00 30
	1112/1	Part	00	02.5	00 06
	306	Part	00	23.0	00 57
	290	Part	00	00.5	00 01
	130/2	Part	00	11.6	00 28

(1)	(2)	(3)	(4)	(5)	(6)
Pragadavaram (Contd..)	130/3	Part	00	20.0	00 50
	130/4A	Part	00	21.5	00 54
	124	Part	00	02.0	00 05
	125/1	Part	00	20.5	00 51
	123/1	Part	00	42.5	01 05
	104/1	Part	00	35.0	00 36
	105	Part	00	20.5	00 51
	106	Part	00	11.0	00 27
	107/1	Part	00	16.5	00 41
	107/2	Part	00	03.5	00 09
	93/1	Part	00	02.5	00 06
	61/1	Part	00	02.5	00 06
	61/2	Part	00	05.5	00 14
	60/1	Part	00	01.0	00 03
	45/1	Part	00	06.5	00 16
	45/2	Part	00	03.5	00 09
	46/1	Part	00	08.0	00 20
	46/2	Part	00	09.5	00 23
	47/1B	Part	00	02.0	00 05
	47/2A	Part	00	12.5	00 31
	48	Part	00	07.0	00 17
	49/1	Part	00	18.5	00 45
	49/2	Part	00	12.5	00 31
	51	Part	00	01.0	00 03
	56/2B	Part	00	01.0	00 03
	56/2C	Part	00	03.0	00 08
	53	Part	00	16.5	00 41
	54	Part	00	05.0	00 12
	55/1	Part	00	10.0	00 25
	63/5	Part	00	02.0	00 05
	68/6	Part	00	12.0	00 30
	1111/2	Part	00	18.5	00 45
	1110/2	Part	00	24.5	00 61
	1110/4	Part	00	14.0	00 35
	1109/2	Part	00	06.0	00 15
	1109/3	Part	00	30.0	00 74
	1106/1	Part	00	44.5	01 10
	1106/5	Part	00	00.5	00 01
Errampalli	311/3	Part	00	01.0	00 02
	311/4	Part	00	00.5	00 01
	311/6	Part	00	14.5	00 36
	311/8	Part	00	08.5	00 21

(1)	(2)	(3)	(4)	(5)	(6)
Earrampalli (Contd..)	311/9	Part	00	06.6	00 16
	311/10	Part	00	07.5	00 18
	312/2	Part	00	02.0	00 05
	312/4	Part	00	17.0	00 42
	312/6	Part	00	03.0	00 08
	312/7	Part	00	00.5	00 01
	312/9	Part	00	00.5	00 01
	312/10	Part	00	05.0	00 12
	312/11	Part	00	12.5	00 31
	312/13	Part	00	05.0	00 12
	312/14	Part	00	03.5	00 09
	312/15	Part	00	05.0	00 12
	312/17	Part	00	03.5	00 09
	313/6	Part	00	01.0	00 02
	313/8	Part	00	08.0	00 20
	313/7	Part	00	06.0	00 15
	313/9	Part	00	07.6	00 19
	313/10	Part	00	00.5	00 01
	313/21	Part	00	04.0	00 10
	350/11	Full	00	01.0	00 02
	350/21	Part	00	02.0	00 05
	350/22	Part	00	04.0	00 10
	304/1	Part	00	03.5	00 08
	304/4	Part	00	08.5	00 21
	304/5	Part	00	05.0	00 12
	302/7	Part	00	12.5	00 31
	302/9	Part	00	13.5	00 33
	238/4	Part	00	08.0	00 20
	238/5	Part	00	06.5	00 16
	238/6	Part	00	04.0	00 10
	238/8	Part	00	01.0	00 03
	241/1	Part	00	00.5	00 01
	241/3	Part	00	27.0	00 67
	244/2	Part	00	00.5	00 01
	242/1	Part	00	24.0	00 59
	261	Part	00	03.5	00 09
	260/1	Part	00	00.5	00 01
	260/2A	Part	00	01.0	00 03
	260/2B	Part	00	09.5	00 23
	260/7	Part	00	14.0	00 34
	260/8	Part	00	01.6	00 04
	260/3	Part	00	04.5	00 11

(1)	(2)	(3)	(4)	(5)	(6)
Errampalli (Contd..)	260/4	Part	00	06.0	00 15
	260/6	Part	00	01.5	00 04
	260/10	Part	00	00.5	00 01
	259/1	Part	00	02.5	00 06
	122/5	Part	00	00.5	00 01
	122/6	Part	00	03.5	00 09
	122/7	Part	00	10.0	00 24
	122/8	Part	00	02.0	00 05
	122/9	Part	00	03.0	00 08
	122/10	Part	00	00.5	00 01
	122/12	Part	00	01.5	00 04
	122/13	Part	00	00.5	00 01
	120/2	Part	00	08.8	00 21
	123/4	Part	00	04.0	00 10
	123/5	Part	00	02.0	00 05
	123/9	Part	00	01.5	00 03
	123/10	Part	00	03.0	00 07
	123/11	Part	00	02.0	00 04
	123/12A	Part	00	07.5	00 19
	123/13	Part	00	07.0	00 17
	108/1B	Part	00	26.0	00 64
	108/3	Part	00	16.5	00 41
	108/4	Part	00	09.5	00 23
	94	Part	00	11.5	00 29
	93/7	Part	00	00.5	00 01
	93/17	Part	00	00.5	00 01
	93/20	Part	00	00.5	00 01
	93/21	Part	00	02.0	00 06
	93/22	Part	00	01.0	00 03
	93/23	Part	00	00.5	00 01
	88/1	Part	00	11.0	00 27
	88/2	Part	00	01.0	00 02
	88/3	Part	00	02.0	00 06
	88/4	Part	00	00.5	00 01
	88/6	Part	00	00.5	00 01
	88/7	Part	00	00.5	00 01
	88/8	Part	00	03.0	00 07
	89/3	Part	00	03.0	00 07
	89/4	Part	00	02.5	00 06
	89/5	Part	00	03.0	00 07
	89/6	Part	00	03.0	00 07
	89/8A	Part	00	01.0	00 02

(1)	(2)	(3)	(4)	(5)	(6)
Errampalli (Contd..)	89/8C	Part	00	02.5	00 06
	89/9	Part	00	01.5	00 04
	89/10	Part	00	02.0	00 05
	89/11	Part	00	00.5	00 01
	26	Part	00	10.5	00 26
	16	Part	00	14.5	00 36
	6	Part	00	15.5	00 38
	5	Part	00	16.0	00 40

[No. R-31015/16/96—OR—II]

K.C. KATOCH, Under Secy.

नई दिल्ली, 14 जनवरी, 1997

का. आ. 152.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरोनी तक पेट्रोलियम कूड के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए।

और यह प्रतीत होता है कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए अधिसूचना से उपाय अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और सनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 §1962 का 50§ को धारा 3 की उपधारा §1§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त भूमि में उक्त पाइपलाइन बिछाने के लिए उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति उस तारीख से जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाने के संबंध में उनमें उपयोग के अधिकार का अर्जन करने संबंधी लिखित रूप में आक्षेप श्री विश्वनाथ बोस, सहाय प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, हल्दिया बरोनी कूड पाइपलाइन परियोजना, डाक घर - हल्दिया रिफाइनरी, जिला मिदनापुर, पश्चिमी बंगाल को कर सकेगा।

अनुसूची

पुलिस थाना : खन्नकल		जिला : हुगली		राज्य : पश्चिम बंगाल	
गैव	आधिकारिता सूची संख्या	प्लॉट सं०	क्षेत्र		
			हेक्टेयर	आरे	सेटीआरे
1	2	3	4	5	6
नोएडा नारायणपुर	40	38	0	5	51
		37	0	2	8
		36	0	0	41
		40	0	0	90
		33	0	18	12
		32	0	5	86
		49	0	7	60
		50	0	0	1
मधुरपुर	82	925	0	6	68
		924	0	3	43
		923	0	2	42
		933	0	1	61
		922	0	0	76
		935	0	3	24
		934	0	0	1
		936	0	1	71
		937	0	1	31
		938	0	0	95
		1014	0	3	64
		916	0	3	50
		921	0	10	93
		920	0	2	27
		437	0	0	63
		440	0	7	24

1	2	3	4	5	6
		1007	0	3	89
		1607	0	2	75
		1608	0	4	54
		456	0	1	88
		457	0	2	2
		458	0	2	71
		459	0	0	57
		464	0	6	12
		462	0	1	62
		465	0	4	85
		463	0	0	38
		469	0	2	90
		467	0	0	91
		468	0	3	34
		471	0	0	1
		472	0	5	56
		1005	0	0	39
		1004	0	2	78
		475	0	1	55
		499	0	1	46
		411	0	28	94
		412	0	18	93
		408	0	0	89
		1617	0	3	24
		1616	0	5	28
		1615	0	0	36
		409	0	0	74

New Delhi, the 14th January, 1997

S.O. 152.— Whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum (crude) from Haldia in the State of West Bengal to Barauni in the State of Bihar, pipeline should be laid by the Indian Oil Corporation Limited;

And whereas, it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user in the said land therein for laying of the said pipelines;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to Shri Biswanath Bose, Competent Authority, Indian Oil Corporation Limited, Haldia-Barauni Pipeline Project, Post Office - Haldia Refinery, District - Midnapur (West Bengal).

Schedule

Police Station : <i>Khanakul</i>		District : <i>Hooghly</i>		State : <i>West Bengal</i>	
Village	Jurisdiction list No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
<i>Noada Narayanpur</i>	40	38	0	5	51
		37	0	2	8
		36	0	0	41
		40	0	0	90
		33	0	18	12
		32	0	5	86
		49	0	7	60
		50	0	0	1

Police Station : Arambagh		District : Hooghly		State : West.Bengal	
Village	Jurisdiction list No.	Plot No.	Area		
			Hectares	Ares	Centiares
1	2	3	4	5	6
Madhurpur	82	925	0	6	68
		924	0	3	48
		923	0	2	42
		933	0	1	61
		922	0	0	76
		935	0	3	24
		934	0	0	1
		936	0	1	71
		937	0	1	31
		938	0	0	95
		1014	0	3	64
		916	0	3	50
		921	0	10	93
		920	0	2	27
		437	0	0	63
		440	0	7	24
		1007	0	3	89
		1607	0	2	75
		1606	0	4	54
		456	0	1	88
		457	0	2	2
		458	0	2	71
		459	0	0	57
		464	0	6	12
		462	0	1	62

1	2	3	4	5	6
		465	Ø	4	85
		463	Ø	Ø	38
		469	Ø	2	90
		467	Ø	Ø	91
		468	Ø	3	34
		471	Ø	Ø	1
		472	Ø	5	56
		1005	Ø	Ø	39
		1004	Ø	2	78
		475	Ø	1	55
		499	Ø	1	46
		411	Ø	28	94
		412	Ø	18	93
		408	Ø	Ø	89
		1617	Ø	3	24
		1616	Ø	5	28
		1615	Ø	Ø	36
		409	Ø	Ø	74

[No. R-31015/18/96—OR—I]

K.C. KATOCH, Under Secy.

नई दिल्ली, 15 जनवरी, 1997

शुद्धि-पत्र

का. आ. 153.— _____ केन्द्रीय सरकार, ^{पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की, धारा 3 की उपधारा (1) के अधीन जारी की गई भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), पृष्ठ संख्या 708, 709, 710, 712, 713, 715, 716, 717, 718, 719, 720, 721 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का० आ० 588, ता० 02 मार्च, 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि ^{में उपयोग के अधिकार} का अर्जन करने के अपने आशय की सूचना दी थी ।}

और केन्द्रीय सरकार की जानकारी में यह लाया गया है कि ^{सरकारी} राजपत्र के प्रकाशन में मुद्रण संबंधी कुछ गलतियाँ हो गई हैं ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित रूप में संशोधित करती है :-

पृष्ठ संख्या 707 और 708 — स्तम्भ संख्या 4 को 3, 5 को 4, 1 को 5 और 7 को 6 के पहले भाग में बढ़ा जाए ।

पृष्ठ संख्या 708 :- गाँव घोरादाहा के प्लॉट सं० 2343 के सामने स्तम्भ 4 में "5" के स्थान पर "0" पढ़े ।

- पृष्ठ संख्या 709 :- गाँव धोरादाहा के प्लॉट सं० 8015 के सामने स्तम्भ 4 में "0" पढ़ें ।
- पृष्ठ संख्या 710 :- गाँव धोरादाहा के प्लॉट सं० 7364 के सामने स्तम्भ 6 में "09" के स्थान पर "0" पढ़ें ;
- गाँव रामचन्द्रपुर के प्लॉट सं० 305 के सामने स्तम्भ 6 में "9" के स्थान पर "94" पढ़ें ।
- पृष्ठ संख्या 712 :- गाँव रामनगर के प्लॉट सं० 539 के सामने स्तम्भ 6 में "14" के स्थान पर "34" पढ़ें ।
- पृष्ठ संख्या 713 :- गाँव रामनगर के प्लॉट सं० 175 के बाद, प्लॉट सं० "173" पढ़ें ।
- गाँव कृष्णनगर के प्लॉट सं० 220 के सामने स्तम्भ 6 में "1" पढ़ें ।
- पृष्ठ संख्या 715 :- गाँव मींदराम के प्लॉट सं० 343 के सामने स्तम्भ 4 में "1" के स्थान पर "0" पढ़ें ।

- पृष्ठ संख्या 716 :- गाँव मंदराम के प्लॉट सं० 36 के बाद प्लॉट सं० "7" के स्थान पर "37" पढ़ें ;
- गाँव पीरीचपुर के प्लॉट सं० 634 के सामने स्तम्भ 6 में "11" स्थान पर "1" पढ़ें ।
- पृष्ठ संख्या 717 :- गाँव ताराल के प्लॉट सं० 518 के सामने स्तम्भ 6 में, जो स्पष्ट नहीं है, के स्थान पर "94" पढ़ें ।
- पृष्ठ संख्या 718 :- गाँव असानपुर के प्लॉट सं० 958 के सामने स्तम्भ 6 में, '91' के स्थान पर "99" पढ़ें ।
- पृष्ठ संख्या 719 :- गाँव सेलुआ के प्लॉट सं० 1480 के सामने स्तम्भ 6 में "31" के स्थान पर "3" पढ़ें ।
- पृष्ठ संख्या 720 :- गाँव कासीगोरे के प्लॉट सं० 333 के सामने स्तम्भ 6 में "1" पढ़ें ; प्लॉट सं० 33 के सामने स्तम्भ 6 में "1" पढ़ें ; प्लॉट सं० 26 के सामने स्तम्भ 6 में "4" के स्थान पर "40" पढ़ें ।
- गाँव छाखाजी के प्लॉट सं० 1567 के सामने स्तम्भ 4 में "6" के स्थान पर "0" पढ़ें ।
- पृष्ठ संख्या 721 :- गाँव उत्तर रोजपुर के प्लॉट सं० 199 के सामने स्तम्भ 4 में "0" पढ़ें ।

ऐसी भूमि में, जिसकी बाबत उपरोक्त संशोधन जारी किया गया है, जिसबद्ध कोई व्यक्ति इस अधिसूचना के जारी किये जाने के इक्कीस दिन के भीतर, उस अधिनियम की धारा 5 की उपधारा (1) के नियमों के अनुसार उक्त सम्पूर्ण भूमि या उसके किसी भाग के या ऐसी भूमि में प्रयोज्यता के किसी अधिकार के अर्जित किये जाने के संबंध में आक्षेप श्री गिरवनाथ बोस, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, हल्दिया-बरोनी क्रूड पाइपलाइन परियोजना, पो 0 हल्दिया रिफाइनरी, जिला-मिर्जापुर, पश्चिमी बंगाल को कर सकेगा ।

स्पष्टीकरण :- इस अधिनियम द्वारा संशोधित भूमियों, प्लॉट संख्या और क्षेत्रफल की बाबत ही उक्त अधिनियम की धारा 5 की उपधारा (1) के नियमों के अनुसार इक्कीस दिन की उक्त अवधि उस तारीख से आरम्भ होती है जिसको यह अधिसूचना राजपत्र में प्रकाशन के पश्चात् जन्ता को उपलब्ध करा दी जाती है ।

New Delhi, the 15th January, 1997

Corrigendum

S.O. 153.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 588, dated the 02nd March, 1996, published in the Gazette of India, Part-II, Section-3, Sub-section (ii), at pages 722, 724, 725, 729, 732, issued under sub-section (i) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the right of user in the said land specified in the Schedule appended to that notification;

And, whereas, it has been brought to the notice of the Central Government that certain errors of the printing nature have occurred in the publication of the said notification in the Official Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section-3 of the said Act, the Central Government hereby amends the Schedule appended to the said notification as follows:—

- at page No. 722 - in Village Ghoradeha against Plot No. 2342, in column 6, for "7" read "37".
- at page No. 724 - in Village Ghoradeha against Plot No. 7083, in column 6, for "32" read "92";
in column 1, for village "Ramchandrayur" read "Ramchandrapur"; against Plot No. 307, in column 4, for "6" read "0".
- at page No. 725 - in Village Dherampur against Plot No. 845, in column 4, for "1" read "0".
- at page No. 729 -- in Village Selalpur against Plot No. 1161, in column 5, for "8" read "3".

at page No. 732 - in Village Valia in column 3, after Plot No. 648, for Plot No. "647" read "649"; against Plot No. 667, in column 6, for "73" read "93"; against Plot No. 665, in column 6, for "7" read "9".

in Village Kasigore, in column 3, after Plot No. 285, for Plot No. "289" read "287"; against Plot No. 39, in column 5, for "89" read "8".

Any person interested in any land in respect of which the above amendments have been issued, may within twenty one days of the issue of this notification, object to the acquisition of the whole or any part of the said land or any right of user in such land in terms of sub-section (1) of section 5 of the said Act, to Shri Biswanath Bose, Competent Authority, Indian Oil Corporation Limited, Haldia-Barauni Crude Pipeline Project, Post Office-Haldia Refinery, District- Midnapur (West Bengal).

Explanation.---- In respect of the lands, Plot Nos. and areas amended through this notification only, the said period of twenty one days in terms of sub-section (1) of section 5 of the said Act, starts running from the date of notification is made available to the public after publication in the Official Gazette.

[No. R-31015/1/96—OR-1]

K.C. KATOCH, Under Secy.

नई दिल्ली, 15 जनवरी, 1997

शुद्धि-पत्र

का. आ. 154.— _____ केन्द्रीय सरकार, ~~के~~ पेट्रोलियम और खनिज याइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की, धारा 3 की उपधारा (1) के अधीन जारी की गई भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), ^{में} पृष्ठ संख्या 2848, 2849, 2850, 2854, 2855, 2856, 2857, 2866, 2867, 2868, 2869, 2870, 2871, 2872 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का० आ० 2215 और 2216, ता० 27 जुलाई, 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि का अर्जन करने के अपने आशय की सूचना दी थी ।

और केन्द्रीय सरकार की जानकारी में यह लाया गया है कि राजपत्र के प्रकाशन में मुद्रण संबंधी कुछ गलतियाँ हो गई हैं ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित रूप में संशोधित करती है :-

पृष्ठ संख्या 2848 :-

गाँव मेहेंदीपुर के स्तम्भ 3 में प्लॉट सं० "1919" के स्थान पर "1719" पढ़ें ; प्लॉट सं० 2320 के सामने स्तम्भ 4 में "भृ" के स्थान पर "0" पढ़ें ।

- पृष्ठ संख्या 2849 :- गौव रुपपुर के स्तम्भ 3 में प्लॉट सं० "3953" के स्थान पर "2953" पढ़ें ; स्तम्भ 3 में प्लॉट सं० "7807" के स्थान पर "7802" पढ़ें , स्तम्भ 4 में "ड" के स्थान पर "0" पढ़ें ।
- पृष्ठ संख्या 2850 :- गौव रुपपुर के बाद, गौव गोपाल नगर (वे. एल. सं० - 132) से पढ़ें
"पुलिस थाना - इलमबाजार", जिला - बीर भूम,
राज्य - पश्चिमी बंगाल पढ़ें !
- पृष्ठ संख्या 2854 :- गौव स्तम्भ के नीचे, गौव "नपतिग्राम" के स्थान पर
"नुपतिग्राम" पढ़ें ;
गौव गोपीनाथपुर के स्तम्भ 3 में प्लॉट सं० 3866 के पड़ले,
प्लॉट सं० "3862" के स्थान पर "3863" पढ़ें ; स्तम्भ 3 में
प्लॉट सं० "3992" के स्थान पर "3962" पढ़ें ।
- पृष्ठ संख्या 2856 :- गौव साल्का के प्लॉट सं० 1198 के सामने स्तम्भ 6 में
"4" के स्थान पर "48" पढ़ें ; प्लॉट सं० 1182 के सामने
स्तम्भ 6 में "7" के स्थान पर "76" पढ़ें ; प्लॉट सं० 642
के सामने स्तम्भ 6 में "7" के स्थान पर "73" पढ़ें ।
- पृष्ठ संख्या 2869 :- गौव बेलुति के प्लॉट सं० 50 के सामने स्तम्भ 6 में "82"
के स्थान पर "83" पढ़ें ; प्लॉट सं० 88 के सामने स्तम्भ 5
में "9" के स्थान पर "0" पढ़ें ; स्तम्भ 3 में प्लॉट सं० 134
के बाद प्लॉट सं० "125" के स्थान पर "135" पढ़ें ।

पृष्ठ संख्या 2866 :-

गाँव स्तम्भ के नीचे, गाँव "अलुतिया" के स्थान पर "अलुतिया" पढ़ें ; प्लॉट सं० 193 के सामने स्तम्भ 4 में "भ" के स्थान पर "0" पढ़ें ; प्लॉट सं० 411 के सामने स्तम्भ 4 में "भ" के स्थान पर "0" पढ़ें ; प्लॉट सं० 627 के सामने स्तम्भ 6 में "67" के स्थान पर "57" पढ़ें ।

पृष्ठ संख्या 2867 :-

गाँव अलुतिया के स्तम्भ 3 में प्लॉट सं० "3326" के स्थान पर "3626" पढ़ें ; प्लॉट सं० 3361 के बाद प्लॉट सं० "3383" पढ़ें , स्तम्भ 4 में "0", स्तम्भ 5 में "1" और स्तम्भ 6 में "88" पढ़ें ।
गाँव बाबुरबांध के सामने स्तम्भ 2 में "118", स्तम्भ 3 में "791", स्तम्भ 4 में "0", स्तम्भ 5 में "2" और स्तम्भ 6 में "83" पढ़ें ; स्तम्भ 3 में प्लॉट सं० "1014" के स्थान पर "1614" पढ़ें ।

पृष्ठ संख्या 2868 :-

गाँव सोमयपुर के स्तम्भ 3 में प्लॉट सं० 2779 के बाद, प्लॉट सं०, जो स्पष्ट नहीं है, के स्थान पर 2798 पढ़ें ; गाँव सिल्लु के प्लॉट सं० 1276 के सामने स्तम्भ 4 में "भ" के स्थान पर "0" पढ़ें ; स्तम्भ 3 में प्लॉट सं० 1284 के बाद प्लॉट सं० "1385" के स्थान पर "1285" पढ़ें ; प्लॉट सं० 1591 के सामने स्तम्भ 5 में "0" के स्थान पर "8" पढ़ें ;
गाँव मल्लिकपुर के प्लॉट सं० 681 के बाद प्लॉट सं० "7भ5" के स्थान पर "705" पढ़ें ।

पृष्ठ संख्या 2870 :- गाँव श्रीकृष्णापुर के प्लॉट सं० 353 के 1. न स्तम्भ 6 में "0" के स्थान पर "2" पढ़ें ;
गाँव रेओरा के स्तम्भ 3 में प्लॉट सं० 1235 के बाद प्लॉट सं० "1224" के स्थान पर "1234" पढ़ें ।

पृष्ठ संख्या 2871 :- गाँव रेओरा के प्लॉट सं० 1136 के सामने स्तम्भ 4 में "0" पढ़ें, स्तम्भ 5 में "4" के स्थान पर "0" पढ़ें ; प्लॉट सं० 1137 के सामने स्तम्भ 5 में "0" के स्थान पर "4" पढ़ें, स्तम्भ 6 में "40" के स्थान पर "45" पढ़ें ; प्लॉट सं० 44 के सामने स्तम्भ 6 में "2" के स्थान पर "20" पढ़ें ;
गाँव बक्शीबाद पोग्राम के स्तम्भ 3 में प्लॉट सं० 2394 के बाद प्लॉट सं० "2518" के स्थान पर "2118" पढ़ें ।

पृष्ठ संख्या 2872 :- गाँव बिल्सादा के प्लॉट सं० 11 के सामने स्तम्भ 6 में "0ड" के स्थान पर "5" पढ़ें ।

ऐसी भूमि में, जिसकी बाबत उपरोक्त संगोधन-जारी किया गया है, जिसमें कोई व्यक्ति इस अधिसूचना के जारी किये जाने के इक्कीस दिन के भीतर, उस अधिनियम की धारा 5 की उपधारा (1) के निबंधनों के अनुसार उक्त सम्पूर्ण भूमि या उसके किसी भाग के या ऐसी भूमि में या उस पर के किसी अधिकार के अर्जित किये जाने के संबंध में आक्षेप श्री विश्वनाथ बोस, सक्षम प्राधिकारी, इंडियन ऑयल कार्पोरेशन लिमिटेड, हल्दिया-बरीली क्रूड पाइपलाइन परियोजना, पो० हल्दिया रिफाइनरी, जिला-मिदनापुर, पश्चिमी बंगाल को कर सकेगा ।

स्पष्टीकरण :- इस अधिनियम द्वारा संगोधित भूमियों, प्लॉट संख्या और क्षेत्रफल की बाबत ही उक्त अधिनियम की धारा 5 की उपधारा (1) के निबंधनों के अनुसार इक्कीस दिन की उक्त अवधि उस तारीख से आरम्भ होती है जिसको यह अधिसूचना राजपत्र में प्रकाशन के पश्चात् जन्ता को उपलब्ध करा दी जाती है ।

New Delhi, the 15th January, 1997

Corrigendum

S.O. 154.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2215 and 2216 dated the 27th July, 1996, published in the Gazette of India, Part-II, Section-3, Sub-section (ii), at pages 2857, 2858, 2859, 2860, 2863, 2865, 2873, 2874, 2875, 2876, 2877 issued under sub-section (1) of section-3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the right of user in the said land specified in the Schedules appended to those notification;

And, whereas, it has been brought to the notice of the Central Government that certain errors of the printing nature have occurred in the publication of the said notifications in the Official Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section-3 of the said Act, the Central Government hereby amends the schedules appended to the said notifications as follows :—

- at page No. 2857 - in Village Udaypur, in column 2,
for Jurisdiction list No. "11"
read "111".
- at page No. 2858 - in Village Chandanpur against Plot
No. 3019, in column 5, for "0" read
"2".

at page No. 2859 -

in Village Ruppur against Plot No. 349, in column 6, for "21" read "48"; against Plot No. 2930, in column 5, for "2" read "0"; against Plot No. 2933, in column 5, for "0" read "1"; in column 3, after Plot No. 2934, for Plot No. "2995" read "2935"; in column 3, before Plot No. 2953, for Plot No. "2996" read "2936"; against Plot No. 2982, in column 5, for "2" read "0".

at page No. 2860 -

Before Village Gopalnagar (Jurisdiction list No.- 132), words Police Station: Illambazar District: Birbhum State: West Bengal to be inserted.

at page No. 2862 -

in Village Kayera against Plot No. 1488, in column 4, for "9" read "0"; against Plot No. 2145, in column 4, for "1" read "0";

in Village Pachiara against Plot No. 1846, in column 6, for "38" read "83"

at page No. 2863 -

in Village Pachiara against Plot No. 2020, in column 6, for "69" read "9"

at page No. 2865 -

in Village Shunut against Plot No. 532, in column 6, for "26" read "62"; against Plot No. 566, in column 6, for "74" read "64";

in Village Salka against Plot No. 657, in column 6, for "65" read "5"

- at page No. 2873 - in Village Alutia against Plot No. 393, in column 4, read "0"; against Plot No. 3307, in column 6, for "55" read "98"; in column 3, for Plot No. "3226" read "3626".
- at page No. 2874 - in Village Silut against Plot No. 1311, in column 4, for "1" read "0".
- at Page No. 2875 - in Village Beluti against Plot No. 1637, in column 4, for "9" read "0".
- at Page No. 2876 - in column 1, for Village "Zeora-(contd.)" read "Reora-(contd.)";
in Village Bakshibad Pogram against Plot No. 2030, in column 4, for "?" read "0".
- at Page No. 2877 - in Village Bilshanda against Plot No. 1070, in column 4, for "1" read "0"

Any person interested in any land in respect of which the above amendment has been issued, may within twenty one days of the issue of this Notification, object to the acquisition of the whole or any part of the said land or any right of user in such land in terms of sub-section (1) of section 5 of the said Act, to Shri Biswanath Bose, Competent Authority, Indian Oil Corporation Limited, Haldia-Barauni Crude Pipeline Project, Post Office-Haldia Refinery, District- Midnapur (West Bengal)

Explanation- In respect of the lands, Plot Nos. and areas amended through this notification only, the said period of twenty one days in terms of sub-section (1) of section 5 of the said Act, starts running from the date of notification is made available to the public after publication in the Official Gazette.

[No. R-31015/4 A/96—OR—I]

K.C. KATOCH, Under Secy.

नई दिल्ली, 15 जनवरी, 1997

सुद्धि-पत्र

का. आ. 155.—

केन्द्रीय सरकार, ^१ पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की, धारा 3 की उपधारा (1) के अधीन जारी की गई भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), पृष्ठ संख्या 1297, 1299, 1300, 1301, 1302, 1304, 1305, 1306, 1307, 1308 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का० आ० 1148, ता० 13 अप्रैल, 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि का अर्जन करने के अपने आशय की सूचना दी थी ।

और केन्द्रीय सरकार की जानकारी में यह लाया गया है कि ^{सूचना} राजपत्र के प्रकाशन में मुद्रण संबंधी कुछ गलतियाँ हो गई हैं ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना से संलग्न अनुसूची में निम्नलिखित रूप में संशोधित करती है :-

पृष्ठ संख्या 1297 :-

गौव पथरिया के प्लॉट सं० 523 के सामने स्तम्भ 6 में

"55" के स्थान पर "55" पढ़ें ;

गौव गजई के स्तम्भ 3 में प्लॉट सं० 440 के बाद , प्लॉट

सं० "545" के स्थान पर "445" पढ़ें ।

- पृष्ठ संख्या 1299 :- गौव निजखयरा के प्लॉट सं० 104 के सामने स्तम्भ 5 में "2" के स्थान पर "12" पढ़ें ।
- पृष्ठ संख्या 1300 :- गौव गोमोकपोटा के प्लॉट सं० 1624 के सामने स्तम्भ 5 में "01" के स्थान पर "10" पढ़ें ।
- पृष्ठ संख्या 1301 :- गौव जोयरामचक के स्तम्भ 3 में प्लॉट सं० 1064 के बाद , प्लॉट सं० "1003" के स्थान पर "1063" पढ़ें ; प्लॉट सं० 922 के सामने स्तम्भ 4 में "9" के स्थान पर "0" पढ़ें ; प्लॉट सं० 910 के सामने स्तम्भ 6 में "52" के स्थान पर "1" पढ़ें ; स्तम्भ 3 में प्लॉट सं० 892 के बाद, प्लॉट सं० "991" के स्थान पर "891" पढ़ें ; प्लॉट सं० 916 के सामने स्तम्भ 6 में "1" के स्थान पर "47" पढ़ें ।
- पृष्ठ संख्या 1302 :- गौव जोयरामचक के स्तम्भ 3 में प्लॉट सं० 2865 के बाद प्लॉट सं० "2967" के स्थान पर "2867" पढ़ें ; प्लॉट सं० 2844 के पहले, प्लॉट सं० "2886" के स्थान पर "2866" पढ़ें ; प्लॉट सं० 2846 के बाद, प्लॉट सं० "2841" के स्थान पर "2831" पढ़ें ।
- पृष्ठ संख्या 1304 :- गौव फरीदपुर के प्लॉट सं० 294 के बाद, प्लॉट सं० "276" के स्थान पर "275" पढ़ें ; ^{संशोधित} प्लॉट सं० "275" के बाद स्तम्भ 3 में प्लॉट सं० "292" के स्थान पर "276" पढ़ें तथा स्तम्भ 4 में "0", स्तम्भ 5 में "5" और स्तम्भ 6 में "73" पढ़ें ; स्तम्भ 3 में प्लॉट सं० 1072 के बाद, प्लॉट सं० "1964" के स्थान पर "1064" पढ़ें ।

पृष्ठ संख्या 1305 :-

गौव चैनपत के फ्लॉट सं० 672 के सामने स्तम्भ 4 में "5" के स्थान पर "0" पढ़ें ; फ्लॉट सं० 7823 के सामने स्तम्भ 5 में "5" के स्थान पर "6" पढ़ें ; फ्लॉट सं० 12103 के सामने स्तम्भ 6 में "7" के स्थान पर "79" पढ़ें ; फ्लॉट सं० 12285 के सामने स्तम्भ 5 में "4" के स्थान पर "3" पढ़ें ; फ्लॉट सं० 12284 के सामने स्तम्भ 5 में "0" के स्थान पर "4" पढ़ें ।

पृष्ठ संख्या 1306 :-

गौव चैनपत के स्तम्भ 3 में फ्लॉट सं० 12047 के बाद फ्लॉट सं० "13695" के स्थान पर "12695" पढ़ें ; फ्लॉट सं० 12752 के बाद, फ्लॉट सं० "13757" के स्थान पर "12757" पढ़ें ; फ्लॉट सं० "13756" के स्थान पर "12756" पढ़ें ; फ्लॉट सं० "12855" के स्थान पर "12755" पढ़ें ; फ्लॉट सं० 12797 के सामने स्तम्भ 6 में "54" के स्थान पर "53" पढ़ें ।

गौव डोरी अयोध्या के फ्लॉट सं० 1373 के सामने स्तम्भ 5 में "42" के स्थान पर "4" पढ़ें ; फ्लॉट सं० 1357 के सामने स्तम्भ 6 में "79" के स्थान पर "7" पढ़ें ; स्तम्भ 3 में फ्लॉट सं० 1192 के बाद, फ्लॉट सं० "1248" के स्थान पर "1243" पढ़ें ; फ्लॉट सं० 1136 के बाद, फ्लॉट सं० "113" के स्थान पर "1130" पढ़ें ; फ्लॉट सं० 1125 के बाद, फ्लॉट सं० "1128" के स्थान पर "1123" पढ़ें ; फ्लॉट सं० 1118 के सामने स्तम्भ 4 में "5" के स्थान पर "0" पढ़ें ; फ्लॉट सं० 1120 के सामने स्तम्भ 6 में "73" के स्थान पर "72" पढ़ें ।

पृष्ठ संख्या 1307 :-

गौव भागबतीपुर के फ्लॉट सं० 2987 के सामने स्तम्भ 4 में "5" के स्थान पर "0" पढ़ें ।

पृष्ठ संख्या 1308 :-

गौव जोट-कानु रामगढ़ के स्तम्भ 3 में (पंक्ति सं० 9) फ्लॉट सं० "2340" के स्थान पर "2348" पढ़ें , स्तम्भ 4 में "0", 5 में "6" और स्तम्भ 6 में "68" पढ़ें ।

ऐसी भूमि में, जिसकी बावत उपरोक्त संगोपन जारी किया गया है, हितयुक्त कोई व्यक्ति इस अधिसूचना के जारी किये जाने के इक्कीस दिन के भीतर, उस अधिनियम की धारा 5 की उपधारा (1) के निबंधनों के अनुसार उक्त सम्पूर्ण भूमि या उसके किसी भाग के या ऐसी भूमि में प्रयोजन के किसी अधिकार के अर्जित किये जाने के संबंध में आक्षेप श्री विश्वनाथ बोस, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, हल्दिया-बरोनी क्रूड पाइपलाइन परियोजना, पो 0 हल्दिया रिफाईनरी, जिला-मिदनापुर, पश्चिमी बंगाल को कर सकेगा।

स्पष्टीकरण :- इस अधिनियम द्वारा संगोपित भूमियों, प्लॉट संख्या और क्षेत्रफल की बावत ही उक्त अधिनियम की धारा 5 की उपधारा (1) के निबंधनों के अनुसार इक्कीस दिन की उक्त अवधि उस तारीख से आरम्भ होती है जिसको यह अधिसूचना ^{सूचना} राजपत्र में प्रकाशन के पश्चात् जन्मा को उपलब्ध करा दी जाती है।

[फा. सं. आर.—31015/596—ओ. आर.—1]

के. सी. कटोच, अवर सचिव

New Delhi, the 15th January, 1997

Corrigendum

S.O. 155.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 1148, dated the 13th April, 1996, published in the Gazette of India Part-II, Section-3, Sub-section (ii), at pages 1309, 1311, 1312, 1314, 1315, issued under sub-section (1) of section-3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the right of user in the said land specified in the Schedule appended to that notification;

And whereas, it has been brought to the notice of the Central Government that certain errors of the printing nature have occurred in the publication of the said notification in the Official Gazette;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section-3 of the said Act, the Central Government hereby amends the Schedule appended to the said notification as follows:-

- at page No. 1309 - in column 1, for Village "Pathria (Contd.)" read "Gajai (Contd.)".
- at page No. 1311 - in Village Palshpai, in column 3, for Plot No. "3080" read "2080".
- at page No. 1312 - in Village Joyramchak, in column 3, after Plot No. 790, for Plot No. "2099" read "2999".
- at page No. 1314 - in Village Adampur against Plot No. 1883, in column 5, for "4" read "1"; against Plot No. 1888, in column 5, for "1" read "0", in column 6, for "2" read "21".

at page No. 1315 - in Village Chainpat, in column 3, after Plot No. 674, for Plot No. "325" read "375".

Any person interested in any land in respect of which the above amendment has been issued, may within twenty one days of the issue of this notification, object to the acquisition of the whole or any part of the said land or any right of user in such land in terms of sub-section (1) of section 5 of the said Act, to Shri Biswanath Bose, Competent Authority, Indian Oil Corporation Limited, Haldia-Barauni Crude Pipeline Project, Post Office-Haldia Refinery, District - Midnapur, (West Bengal).

Explanation.---- In respect of the lands, Plot Nos. and areas amended through this notification only, the said period of twenty one days in terms of sub-section (1) of section 5 of the said Act, starts running from the date of notification is made available to the public after publication in the Official Gazette.

[No. R-31015/5/96—OR—I]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 156.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 § 1962 का 50 § जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा § 1 § और § 2 § के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3259 तारीख 14 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 7 दिसंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा § 1 § के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा § 1 § द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा § 4 § द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : घोड़ाघरम

जिला : विशाखापट्टनम

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन	क्षेत्रफल				
		हेक्टेयर	आर	एकड़	सेन्ट	
(1)	(2)	(3)	(4)	(5)	(6)	
मुदुदुयि	386/17	भाग	00	05.0	00	13
	386/18	भाग	00	03.0	00	07
	388/1	भाग	00	05.5	00	14
	372/12	भाग	00	01.5	00	04
	372/11	भाग	00	02.0	00	05
	362	भाग	00	05.0	00	12
	363/5	भाग	00	05.0	00	12
	359/15	भाग	00	08.5	00	21
	266/8	भाग	00	14.5	00	36
	267/21	भाग	00	02.0	00	06
	267/4	भाग	00	05.0	00	12
	267/7	भाग	00	03.0	00	08
	275/3	भाग	00	03.0	00	08
	276/22	भाग	00	09.0	00	22
	276/14	भाग	00	11.5	00	29
	276/13	भाग	00	01.5	00	04
	276/12	भाग	00	02.0	00	05
	276/11	भाग	00	05.0	00	12
	276/10	भाग	00	05.0	00	12
	276/7	भाग	00	02.0	00	05
	276/6	भाग	00	08.0	00	20
	276/5	भाग	00	02.0	00	05
	323	भाग	00	17.5	00	43
	353/11	भाग	00	03.0	00	08
	307	भाग	00	23.0	00	57
	309/1	भाग	00	34.5	00	86
	297/1	भाग	00	07.0	00	17
	297/2	भाग	00	05.0	00	12

[फा. सं. आर.—31015/3/95—ओ. आर.—II भाग]

के. सी. कटोच, अवर सचिव

New Delhi, the 17th January, 1997

S.O. 156.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3259 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 7th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule

Mandal : Chodavaram

District: Visakhapatnam

State: Andhra Pradesh

Name of Village	Survey No./ Sub Division.		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Muddurti	386/17	Part	00	05.0	00	13
	386/18	Part	00	03.0	00	07
	388/1	Part	00	05.5	00	14
	372/12	Part	00	01.5	00	04
	372/11	Part	00	02.0	00	05
	362	Part	00	05.0	00	12
	363/5	Part	00	05.0	00	12
	359/15	Part	00	08.5	00	21
	266/8	Part	00	14.5	00	36
	267/21	Part	00	02.0	00	06
	267/4	Part	00	05.0	00	12
	267/7	Part	00	03.0	00	08
	275/3	Part	00	03.0	00	08
	276/22	Part	00	09.0	00	22
	276/14	Part	00	11.5	00	29
	276/13	Part	00	01.5	00	04
	276/12	Part	00	02.0	00	05
	276/11	Part	00	05.0	00	12
	276/10	Part	00	05.0	00	12
	276/7	Part	00	02.0	00	05
	276/6	Part	00	08.0	00	20
	276/5	Part	00	02.0	00	05
	323	Part	00	17.5	00	43
	358/11	Part	00	03.0	00	08
	307	Part	00	23.0	00	57
	309/1	Part	00	34.5	00	86
	297/1	Part	00	07.0	00	17
	297/2	Part	00	05.0	00	12

[No. R-31015/3/95—OR—II Part]

K. C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 157.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 का 50 जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 3 की उपधारा 1 और 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3260 तारीख 14 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 7 दिसम्बर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : बुटियापेटा

जिला : विशाखापटनम

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन		क्षेत्रफल			
			हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)		(3)	(4)	(5)	(6)
आर. भीमावरम	10/1	भाग	00	05.5	00	12
	22/15	भाग	00	03.0	00	08
	26/30	भाग	00	01.0	00	02
आर. शिवरामपुरम	42/12	भाग	00	05.5	00	13
	43/5	भाग	00	05.0	00	12
	44/4	भाग	00	15.0	00	38
	47/6	भाग	00	07.0	00	17
	63/5	भाग	00	16.0	00	39
	63/10	भाग	00	01.0	00	03
	68/1	भाग	00	29.0	00	72
	68/2	भाग	00	04.0	00	10
	78/3	भाग	00	45.0	01	12
	78/4	भाग	00	11.5	00	28
	78/8	भाग	00	01.0	00	02
	76/12	भाग	00	03.0	00	08
	80/1	भाग	00	03.5	00	10
	80/2	भाग	00	03.5	00	09
	91/6	भाग	00	05.5	00	14
	91/14	भाग	00	05.5	00	14
	79/1	भाग	00	33.0	00	83
	61/5	भाग	00	03.0	00	07
	61/8	भाग	00	12.0	00	29
अप्पमपालेम	22/21	भाग	00	08.5	00	21
	21/9	भाग	00	02.0	00	05
	27/20	भाग	00	02.5	00	06
	27/12	भाग	00	05.0	00	12
	62/3	भाग	00	05.5	00	14
	27/17	भाग	00	01.0	00	03

(1)	(2)	(3)	(4)	(5)	(6)
भूपतिपालेम	74/1	भाग	00	05.5	00 13
	81/5	भाग	00	15.5	00 38
	93/12	भाग	00	00.5	00 01
	93/11	भाग	00	01.5	00 04
मल्लाम	195/4	भाग	00	08.0	00 20
	195/5	भाग	00	01.5	00 04
	192/17	भाग	00	02.0	00 05
	136/2	भाग	00	37.5	00 93
	137/9	भाग	00	07.5	00 19
	144/8	भाग	00	16.0	00 40
	315/9	भाग	00	19.0	00 47
	316/3	भाग	00	07.0	00 17
	316/4	भाग	00	01.5	00 04
	317/6	भाग	00	05.5	00 14

[फा. सं. आर.—31015/5/95—ओ. आर.—II भाग]

के. सी. कटोच, अवर सचिव

New Delhi, the 17th January, 1997

S.O. 157.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3260 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited :

And whereas, copies of the said gazette notification were made available to the public on 7th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule**Mandal : Butchayyapeta****District: Visakhapatnam****State: Andhra Pradesh**

Name of Village	Survey No./ Sub Division.		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
R. Bheemavaram	10/1	Part	00	05.5	00	12
	22/15	Part	00	03.0	00	08
	26/30	Part	00	01.0	00	02
R. Sivarampuram	42/12	Part	00	05.5	00	13
	43/5	Part	00	05.0	00	12
	44/4	Part	00	15.0	00	38
	47/6	Part	00	07.0	00	17
	63/5	Part	00	16.0	00	39
	63/10	Part	00	01.0	00	03
	68/1	Part	00	29.0	00	72
	68/2	Part	00	04.0	00	10
	79/3	Part	00	45.0	01	12
	78/4	Part	00	11.5	00	28
	78/8	Part	00	01.0	00	02
	76/12	Part	00	03.0	00	08
	80/1	Part	00	03.5	00	10
	80/2	Part	00	03.5	00	09
	91/6	Part	00	05.5	00	14
	91/14	Part	00	05.5	00	14
	79/1	Part	00	33.0	00	83
	61/5	Part	00	03.0	00	07
Appampalem	61/8	Part	00	12.0	00	29
	22/21	Part	00	08.5	00	21
	21/9	Part	00	02.0	00	05
	27/20	Part	00	02.5	00	06
	27/12	Part	00	05.0	00	12
	62/3	Part	00	05.5	00	14
	27/17	Part	00	01.0	00	03

(1)	(2)	(3)	(4)	(5)	(6)
Bhupatipalem	74/1	Part	00	05.5	00 13
	81/6	Part	00	15.5	00 38
	93/12	Part	00	00.5	00 01
	93/11	Part	00	01.5	00 04
Mallam	195/4	Part	00	08.0	00 20
	195/5	Part	00	01.5	00 04
	192/17	Part	00	02.0	00 05
	136/2	Part	00	37.5	00 93
	137/9	Part	00	07.5	00 19
	144/8	Part	00	16.0	00 40
	315/9	Part	00	19.0	00 47
	316/3	Part	00	07.0	00 17
	316/4	Part	00	01.5	00 04
	317/6	Part	00	05.5	00 14

[No. R-31015/5/95—OR-II Part]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 158.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकारी का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा 1 और 2 के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3257 तारीख 14 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 7 दिसंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए :

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विलसंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : कासिमकोटा

जिला : विशाखपट्टनम

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन	क्षेत्रफल			
		हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
चरकम	47/23D भाग	00	07.0	00	18
	47/23C भाग	00	03.0	00	07
	47/23B भाग	00	07.5	00	20
	34/11 भाग	00	05.5	00	13
	34/7C भाग	00	06.0	00	15
	51/4 भाग	00	02.5	00	06
	76/10 भाग	00	11.5	00	28
	91/8 भाग	00	04.5	00	11
	47/24B भाग	00	00.5	00	01
	51/14A भाग	00	00.6	00	01
धीडा	90 भाग	00	23.5	00	59
	316/10 भाग	00	09.5	00	23
	316/11 भाग	00	03.0	00	07
	315/13 भाग	00	06.0	00	15
	70/18 भाग	00	02.0	00	05
	86/11 भाग	00	03.5	00	09
	86/4 भाग	00	04.0	00	10
	85/1 भाग	00	02.0	00	05
	163/10 भाग	00	02.0	00	05
	163/6 भाग	00	04.5	00	11
अददाम	158/23 भाग	00	27.0	00	67
	131/2 भाग	00	06.5	00	16
	168/31 भाग	00	02.5	00	06
	79/2 भाग	00	14.5	00	36
	79/19 भाग	00	36.5	00	90

(1)	(2)	(3)	(4)	(5)	(6)
अचरला	27/1	भाग	00	27.0	00 67
	28/2	भाग	00	29.5	00 73
	29/1	भाग	00	33.5	00 83
	25/1B5	भाग	00	14.0	00 35
	25/1B6	भाग	00	13.0	00 32
	25/1B7	भाग	00	03.0	00 08
	25/1B16	भाग	00	15.0	00 38
	25/1B19	भाग	00	13.5	00 33
	25/1B20	भाग	00	03.0	00 07
	25/1B28	भाग	00	13.0	00 32
	25/1B29	भाग	00	03.0	00 07
	25/1C/17	भाग	00	15.5	00 38
	25/1C/24	भाग	00	06.5	00 16
	25/1C/25	भाग	00	05.5	00 14
	25/1A	भाग	00	01.5	00 04
	25/1B/17	भाग	00	01.5	00 04
	25/1C/18	भाग	00	01.5	00 04

[फा. सं. आर.—31015/6/95—ओ. आर.—II भाग]

के. सी. कटोच, अवर सचिव

New Delhi, the 17th January, 1997

S.O. 158.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3257 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 7th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule**Mandal : Kasimkota****District: Visakhapatnam****State: Andhra Pradesh**

Name of Village	Survey No./ Sub Division.		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Charakam	47/23D	Part	00	07.0	00	18
	47/23C	Part	00	03.0	00	07
	47/23B	Part	00	07.5	00	20
	34/11	Part	00	05.5	00	13
	34/7C	Part	00	06.0	00	15
	51/4	Part	00	02.5	00	06
	76/10	Part	00	11.5	00	28
	91/8	Part	00	04.5	00	11
	47/24B	Part	00	00.5	00	01
	51/14A	Part	00	00.5	00	01
Theeda	90	Part	00	23.5	00	59
	316/10	Part	00	09.5	00	23
	316/11	Part	00	03.0	00	07
	315/13	Part	00	06.0	00	15
	70/18	Part	00	02.0	00	05
	86/11	Part	00	03.5	00	09
	86/4	Part	00	04.0	00	10
	85/1	Part	00	02.0	00	05
	163/10	Part	00	02.0	00	05
	163/6	Part	00	04.5	00	11
Addam	158/23	Part	00	27.0	00	67
	131/2	Part	00	06.5	00	16
	168/31	Part	00	02.5	00	06
	79/2	Part	00	14.5	00	36
	79/19	Part	00	36.5	00	90

(1)	(2)	(3)	(4)	(5)	(6)
Atcheria	27/1	Part	00	27.0	00 67
	28/2	Part	00	29.5	00 73
	29/1	Part	00	33.5	00 83
	25/1B5	Part	00	14.0	00 35
	25/1B6	Part	00	13.0	00 32
	25/1B7	Part	00	03.0	00 08
	25/1B16	Part	00	15.0	00 38
	25/1B19	Part	00	13.5	00 33
	25/1B20	Part	00	03.0	00 07
	25/1B28	Part	00	13.0	00 32
	25/1B29	Part	00	03.0	00 07
	25/1C/17	Part	00	15.5	00 38
	25/1C/24	Part	00	06.5	00 16
	25/1C/25	Part	00	05.5	00 14
	25/1A	Part	00	01.5	00 04
	25/1B/17	Part	00	01.5	00 04
	25/1C/18	Part	00	01.5	00 04

[No R-31015/6/95—OR—II Part]

K C. KATOCH. Under Secy.

नई दिल्ली, 17 जनवरी, 1997

व का. आ. 159.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 §1962 का 50§ जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है § की धारा 3 की उपधारा §1§ और §2§ के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3256 तारीख 14 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 9 दिसंबर, 1996 को उपलब्ध करा दी गई थी .

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा §1§ के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा §1§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा §4§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : तल्लापुडि

जिला : पश्चिम गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं. / सब डिविजन	क्षेत्रफल				
		हेक्टेयर	आर	एकड़	सेन्ट	
(1)	(2)	(3)	(4)	(5)	(6)	
बय्यावरम	112/4	भाग	00	06.5	00	16
	260/1	भाग	00	00.5	00	01
	254/1	भाग	00	04.0	00	10
	253/1	भाग	00	03.0	00	08
	253/3A	भाग	00	10.5	00	26
	253/3B	भाग	00	01.0	00	02
	253/3C	भाग	00	08.5	00	21
	252/4A	भाग	00	11.5	00	29
	232/2	भाग	00	15.0	00	37
	232/4	भाग	00	11.5	00	29
धूपाकुलगूडेम	143/3	भाग	00	03.0	00	07
	143/1	भाग	00	00.5	00	01
	144/4	भाग	00	05.0	00	12
	144/3	भाग	00	08.0	00	20
	147/2	भाग	00	06.0	00	15
	158/2	भाग	00	09.0	00	22
	142/4	भाग	00	02.0	00	05
	171/1	भाग	00	32.5	00	80
अन्नदेवरापेटा	171/2	भाग	00	02.0	00	05
	155	भाग	00	09.0	00	22
	151	भाग	00	09.5	00	24
	152/1A	भाग	00	12.5	00	31
	53/7	भाग	00	16.0	00	40
	52/3C	भाग	00	06.0	00	15
	318/1	भाग	00	20.0	00	50
	317/3	भाग	00	28.5	00	71

[No. R-31015/7/95—OR—II Part]

K. C. KATOCH, Under Secy.

New Delhi, the 17th January, 1997

S.O. 159.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3256 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 9th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule**Mandal: Tallapudi****District: West Godavari****State : Andhra Pradesh**

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Bayyavaram Ragolapalli	112/4	Part	00	06.5	00	16
	260/1	Part	00	00.5	00	01
	254/1	Part	00	04.0	00	10
	253/1	Part	00	03.0	00	08
	253/3A	Part	00	10.5	00	26
	253/3B	Part	00	01.0	00	02
	253/3C	Part	00	08.5	00	21
	252/4A	Part	00	11.5	00	29
	232/2	Part	00	15.0	00	37
	232/4	Part	00	11.5	00	29
Tupakulagudem	143/3	Part	00	03.0	00	07
	143/1	Part	00	00.5	00	01
	144/4	Part	00	05.0	00	12
	144/3	Part	00	08.0	00	20
	147/2	Part	00	06.0	00	15
	158/2	Part	00	09.0	00	22
	142/4	Part	00	02.0	00	05
	171/1	Part	00	32.5	00	80
Annadevarapeta	171/2	Part	00	02.0	00	05
	156	Part	00	09.0	00	22
	151	Part	00	09.5	00	24
	152/1A	Part	00	12.5	00	31
	53/7	Part	00	16.0	00	40
	52/3C	Part	00	06.0	00	15
	318/1	Part	00	20.0	00	50
	317/3	Part	00	28.5	00	71

[No. R-31015/7/95—OR—II Part]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 160.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और (2) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3255 तारीख 14 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 9 दिसंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : देवरापल्लि

जिला : पश्चिम गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	खे. नं./ तब डिविजन	क्षेत्रफल			
		हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
पादवीलू	3/1	भाग	00	03.0	00 08
	2/4	भाग	00	02.5	00 06
	17	भाग	00	02.0	00 05
	16/1	भाग	00	00.5	00 01

New Delhi, the 17th January, 1997

S.O. 160.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3255 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 9th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule

Mandal: Devarapalli

District: West Godavari

State : Andhra Pradesh

Name of Village	Survey No./ Sub Division	Area			
		Hectare	Ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
Yadavolu	3/1	00	03.0	00	08
	2/4	00	02.5	00	06
	17	00	02.0	00	05
	16/1	00	00.5	00	01

[No R-31015/8/95—OR—II Part]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 161.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 ॥1962 का 50॥ ॥जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है॥ की धारा 3 की उपधारा ॥1॥ और ॥2॥ के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. **3254 तारीख 14 नवम्बर, 1996** द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख **10 दिसंबर 1996** को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा ॥1॥ के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा ॥1॥ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा ॥4॥ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : गोपालपुरम

जिला : पश्चिम गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं./ सब डिविजन	हेक्टेयर	क्षेत्रफल		
			आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
भीमोलु	371/2A	भाग	00	10.0	00 25
	376/2	भाग	00	03.0	00 08
	436/1	भाग	00	14.5	00 36
	438	भाग	00	03.0	00 08
	424/4	भाग	00	10.0	00 25
	484	भाग	00	29.5	00 73
	135/2	भाग	00	03.0	00 07
	135/3	भाग	00	12.5	00 31
	135/4	भाग	00	15.0	00 37
	132/2	भाग	00	12.0	00 30
	127/1	भाग	00	12.0	00 30
	536/3	भाग	00	52.0	01 29
एलचिन्तलागुडेम् गोपालपुरम	143/1	भाग	00	08.5	00 21
	140	भाग	00	22.5	00 55
	65	भाग	00	01.5	00 04
	138/1	भाग	00	22.5	00 56
	77/2F	भाग	00	08.5	00 21
	79	भाग	00	21.0	00 52
	5/2	भाग	00	04.0	00 10
	108/8	भाग	00	03.5	00 09
	303	भाग	00	24.0	00 59
	169/2	भाग	00	06.5	00 16
काररीचेरलागुडेम्	168/1D	भाग	00	01.0	00 02
	168/2D	भाग	00	11.0	00 27
	168/1C	भाग	00	02.0	00 05

(1)	(2)	(3)	(4)	(5)	(6)
कारीचेरलागुडेम संतत...	168/1B2	भाग	00	01.5	00 04
	168/2B2	भाग	00	01.5	00 04
	167/1	पुरा	00	01.0	00 03
	167/2B	भाग	00	09.5	00 23
	167/3	भाग	00	15.0	00 37
	168/1E	भाग	00	03.5	00 09
	170/2	भाग	00	01.0	00 03
	170/3	भाग	00	00.5	00 01
	171	भाग	00	10.5	00 26
	173	भाग	00	03.5	00 09
	166/2	भाग	00	00.5	00 01
	166/1	भाग	00	13.5	00 33
	139	भाग	00	42.0	01 05
	174/1	भाग	00	08.0	00 20
	174/2	पुरा	00	01.0	00 03
	119/2	भाग	00	01.5	00 04
	119/4	भाग	00	02.5	00 06
	119/11	भाग	00	11.5	00 29
	120/1	भाग	00	15.0	00 37
	123	भाग	00	20.5	00 51
जगन्नाथपुरम	124/1	भाग	00	00.5	00 01
	124/3A	भाग	00	03.0	00 08
	128/1	भाग	00	00.5	00 01
	130/9	भाग	00	04.0	00 10
	142/1	भाग	00	27.0	00 67
	168/1B	भाग	00	03.0	00 07
	168/2	भाग	00	18.5	00 46
	175/1	भाग	00	21.0	00 52
	176/6	भाग	00	11.0	00 27
	192/2	भाग	00	03.0	00 07
	192/3	भाग	00	25.0	00 62
	195/2	भाग	00	52.0	01 28
	217	भाग	00	39.5	00 98

[फा. सं. आर.—31015/9/95—ओ. आर.—II भाग]

के. सी. कटोच, अवर सचिव

New Delhi, the 17th January, 1997

S.O. 161.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3254 dated the 14th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 10th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule**Mandal: Gopalapuram****District: West Godavari****State : Andhra Pradesh**

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Bhimolu	371/2A	Part	00	10.0	00	25
	376/2	Part	00	03.0	00	08
	436/1	Part	00	14.5	00	36
	438	Part	00	03.0	00	08
	424/4	Part	00	10.0	00	25
	484	Part	00	29.5	00	73
	135/2	Part	00	03.0	00	07
	135/3	Part	00	12.5	00	31
	135/4	Part	00	15.0	00	37
	132/2	Part	00	12.0	00	30
	127/1	Part	00	12.0	00	30
Vellachintalagudem Gopalapuram	536/3	Part	00	52.0	01	29
	143/1	Part	00	08.5	00	21
	140	Part	00	22.5	00	55
	65	Part	00	01.5	00	04
	138/1	Part	00	22.5	00	56
	77/2F	Part	00	08.5	00	21
	79	Part	00	21.0	00	52
	5/2	Part	00	04.0	00	10
	108/8	Part	00	03.5	00	09
Karicherlagudem	303	Part	00	24.0	00	59
	169/2	Part	00	06.5	00	16
	168/1D	Part	00	01.0	00	02
	168/2D	Part	00	11.0	00	27
	168/1C	Part	00	02.0	00	05

(1)	(2)	(3)	(4)	(5)	(6)
Karicherlagudem (Contd..)	168/1B2	Part	00	01.5	00 04
	168/2B2	Part	00	01.5	00 04
	167/1	Full	00	01.0	00 03
	167/2B	Part	00	09.5	00 23
	167/3	Part	00	15.0	00 37
	168/1E	Part	00	03.5	00 09
	170/2	Part	00	01.0	00 03
	170/3	Part	00	00.5	00 01
	171	Part	00	10.5	00 26
	173	Part	00	03.5	00 09
	166/2	Part	00	00.5	00 01
	166/1	Part	00	13.5	00 33
	139	Part	00	42.0	01 05
	174/1	Part	00	08.0	00 20
	174/2	Full	00	01.0	00 03
Jagannadhapuram	119/2	Part	00	01.5	00 04
	119/4	Part	00	02.5	00 06
	119/11	Part	00	11.5	00 29
	120/1	Part	00	15.0	00 37
	123	Part	00	20.5	00 51
	124/1	Part	00	00.5	00 01
	124/3A	Part	00	03.0	00 08
	128/1	Part	00	00.5	00 01
	130/9	Part	00	04.0	00 10
	142/1	Part	00	27.0	00 67
	168/1B	Part	00	03.0	00 07
	168/2	Part	00	18.5	00 46
	175/1	Part	00	21.0	00 52
	176/6	Part	00	11.0	00 27
	192/2	Part	00	03.0	00 07
	192/3	Part	00	25.0	00 62
	195/2	Part	00	52.0	01 28
	217	Part	00	39.5	00 98

[No. R-31015/9/95—OR—II Part]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 162.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 [1962 का 50] [जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है] की धारा 3 की उपधारा [1] और [2] के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3243 तारीख 13 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 9 दिसंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा [1] के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा [4] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

ग्रंथाल : पोलावरम

जिला : पश्चिम गोदावरी

राज्य : आन्ध्र प्रदेश

ग्राम	तर्षे नं./ तब डिविजन		क्षेत्रफल			
			हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)		(3)	(4)	(5)	(6)
गुटाला	805/2	भाग	00	01.5	00	04
	805/3F	भाग	00	09.5	00	24
	796/2	भाग	00	08.0	00	20

[फा. सं. आर.—31015/10/95—ओ. आर.—II भाग]

के. सी. कटोच, अपर सचिव

New Delhi, the 17th January, 1997

S.O. 162.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3243 dated the 13th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 9th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule

Mandal: Polavaram

District: West Godavari

State : Andhra Pradesh

Name of Village	Survey No./ Sub Division		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Gutala	805/2	Part	00	01.5	00	04
	805/3F	Part	00	09.5	00	24
	796/2	Part	00	08.0	00	20

[No. R-31015/10/95—OR—II Part]

K.C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 163.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 [1962 का 50] [जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है] की धारा 3 की उपधारा [1] और [2] के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 3244 तारीख 13 नवम्बर, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाड़ा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 7 दिसंबर, 1996 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा [1] के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा [4] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : अनकापल्लि

जिला : विशाखापट्टनम

राज्य : आन्ध्र प्रदेश

ग्राम	सर्वे नं. / सब डिविजन	क्षेत्रफल				
		हेक्टेयर	आर	एकड़	सेन्ट	
(1)	(2)	(3)	(4)	(5)	(6)	
कोड्डुपालेम	34/7	भाग	00	14.0	00	35
	11/2	भाग	00	03.0	00	07
	64/1	भाग	00	03.5	00	08
पुण्डरीकपालेम	101/38	भाग	00	06.5	00	16
	123/6	भाग	00	02.5	00	06
	102/41	भाग	00	00.5	00	01
	102/9	भाग	00	01.0	00	02
	101/19	भाग	00	03.0	00	08
	102/21	भाग	00	03.5	00	09
	102/25	भाग	00	00.5	00	01
	159/24	भाग	00	05.5	00	13
	64/52	भाग	00	17.5	00	43
	64/44	भाग	00	01.0	00	02
मामोडिपालेम	64/43	भाग	00	02.0	00	05
	64/42	भाग	00	02.0	00	05
	64/41	भाग	00	00.5	00	01
	64/40	भाग	00	00.5	00	01
	65/8	भाग	00	04.5	00	11
	65/16	भाग	00	00.5	00	01
	79/27	भाग	00	03.0	00	07
	79/24	भाग	00	00.5	00	01
	78/23	भाग	00	00.5	00	01
	86/17	भाग	00	00.5	00	01
	86/22	भाग	00	00.5	00	01
	87/75	भाग	00	05.5	00	14

(1)	(2)	(3)	(4)	(5)	(6)
मामोडिपालेम § संतत... §	87/80	भाग	00	05.5	00 13
	101/3	भाग	00	15.0	00 37
	104/2	भाग	00	04.0	00 10
	130/1	भाग	00	06.0	00 15
	131/9	भाग	00	03.0	00 07
	131/21	भाग	00	02.0	00 05
	131/4	भाग	00	11.0	00 27
	131/17	भाग	00	02.0	00 05
	132/12	भाग	00	00.5	00 01
	135/12	भाग	00	07.5	00 18
	135/14	भाग	00	00.5	00 01
	186/24	भाग	00	05.0	00 12
	186/21	भाग	00	00.5	00 01
	186/26	भाग	00	03.0	00 08
	187/2	भाग	00	02.5	00 06
	187/3	भाग	00	03.0	00 07
	185/25	भाग	00	01.0	00 03
	185/24	भाग	00	03.0	00 07
	185/30	भाग	00	01.0	00 03
	185/21	भाग	00	01.5	00 04
	185/17	भाग	00	04.0	00 10
	185/16	भाग	00	04.0	00 10
	165/1	भाग	00	09.5	00 24
	169/10	भाग	00	01.0	00 02
	169/7	भाग	00	01.0	00 02

(1)	(2)	(3)	(4)	(5)	(6)
मामीडिपालेम § संतत. . . . §	165/2	भाग	00	03.5	00 09
	160/7	भाग	00	01.0	00 03
	160/8	भाग	00	01.5	00 04
	160/13	भाग	00	18.0	00 44
	160/15	भाग	00	02.0	00 05
	160/16	भाग	00	02.5	00 06
	160/17	भाग	00	00.5	00 01
अलीकन्हुपालेम	105/2	भाग	00	07.0	00 17
	105/5A	भाग	00	06.0	00 15
	102/2A	भाग	00	12.0	00 30
	102/1G	भाग	00	00.5	00 01
	104/1E	भाग	00	09.5	00 23
	47/1B	भाग	00	32.0	00 79
	47/2	भाग	00	15.0	00 37
	47/4	भाग	00	23.0	00 57
	44/1	भाग	00	18.0	00 45
	29/2	भाग	00	10.0	00 28
	15/8	भाग	00	04.0	00 10
	15/9	भाग	00	01.5	00 04
	33/4	भाग	00	12.0	00 32
	94/14	भाग	00	25.0	00 62
टागरम्पुडि जगन्नाथपुरम्	57/3	भाग	00	07.5	00 18
	58/1	भाग	00	12.0	00 30
	59/1J	भाग	00	18.0	00 45
	86/5	भाग	00	12.0	00 30

(1)	(2)	(3)	(4)	(5)	(6)
जगन्नाथापुरम् § संतत.... §	85/1B	भाग	00	05.5	00 13
	83/4	भाग	00	07.0	00 17
	83/6	भाग	00	00.5	00 01
	102/9C	भाग	00	02.0	00 05
	102/15	भाग	00	02.0	00 05
	102/14	भाग	00	01.0	00 03
	102/16	भाग	00	03.0	00 07
	102/17C	भाग	00	05.5	00 13
	101/34	भाग	00	03.0	00 07
पापेयापालेम	2/1	भाग	00	06.0	00 15
	163/1	भाग	00	20.0	00 49
	163/5	भाग	00	14.5	00 36
	164	भाग	00	02.0	00 06
	165/2	भाग	00	49.0	01 22
	173/2	भाग	00	13.0	00 32
	173/3	भाग	00	13.5	00 33
	173/4	भाग	00	14.5	00 36
	171/2	भाग	00	12.5	00 31
	171/3	भाग	00	02.5	00 06
	174/4	भाग	00	22.5	00 56
	174/5	भाग	00	02.5	00 06
	175/2	भाग	00	04.5	00 11
	175/3	भाग	00	07.0	00 17
	175/4	भाग	00	09.5	00 23
	175/6	भाग	00	07.5	00 18

(1)	(2)	(3)	(4)	(5)	(6)
पापेयापालेम § संतत... §	176/1	भाग	00	17.0	00 42
	176/3	भाग	00	15.5	00 38
कुन्द्रेम	178/1	भाग	00	18.0	00 39
	178/2	भाग	00	14.5	00 36
	179/1	भाग	00	39.0	00 96
	179/2	भाग	00	34.0	00 84
	61/7	भाग	00	25.5	00 83
	26/2	भाग	00	25.0	00 62
	26/3A	भाग	00	42.0	01 03
	32/3	भाग	00	15.0	00 37
	18/3E	भाग	00	19.0	00 47
	32/4B	भाग	00	26.5	00 66
	18/9B	भाग	00	00.5	00 01
	286/31	भाग	00	02.5	00 08
	7/1B/S	भाग	00	03.0	00 08
	7/1B/T	भाग	00	07.0	00 17
	7/1B/Q	भाग	00	04.0	00 10
	7/1B/M	भाग	00	02.0	00 05
	7/1B/L	भाग	00	06.5	00 16
	7/1B/J	भाग	00	04.0	00 10
	7/1A/Y	भाग	00	05.5	00 13
	7/1A/V	भाग	00	03.0	00 08
	7/1/X	भाग	00	04.0	00 10
	7/1/W	भाग	00	02.5	00 07
	7/3	भाग	00	03.5	00 08
	7/4	भाग	00	00.5	00 01

[फा. सं. आर.—31015/11/95—ओ. आर.—II भाग]

के. सी. कटोच, अपर सचिव

New Delhi, the 17th January, 1997

S.O. 163.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3244 dated the 13th November, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 7th December, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule

Mandal : Anakapalli

District: Visakhapatnam

State: Andhra Pradesh

Name of Village	Survey No./ Sub Division.		Area			
			Hectare	Ares	Acres	Cents
(1)	(2)		(3)	(4)	(5)	(6)
Kondupalem	34/7	Part	00	14.0	00	35
	11/2	Part	00	03.0	00	07
Papayyasantapalem	64/1	Part	00	03.5	00	08
	101/38	Part	00	06.5	00	16
	123/6	Part	00	02.5	00	06
	102/41	Part	00	00.5	00	01
	102/9	Part	00	01.0	00	02
	101/19	Part	00	03.0	00	08
	102/21	Part	00	03.5	00	09
	102/25	Part	00	00.5	00	01
	159/24	Part	00	05.5	00	13
	64/52	Part	00	17.5	00	43
Mammidipalem	64/44	Part	00	01.0	00	02
	64/43	Part	00	02.0	00	05
	64/42	Part	00	02.0	00	05
	64/41	Part	00	00.5	00	01
	64/40	Part	00	00.5	00	01
	65/8	Part	00	04.5	00	11
	65/16	Part	00	00.5	00	01
	79/27	Part	00	03.0	00	07
	79/24	Part	00	00.5	00	01
	78/23	Part	00	00.5	00	01
	86/17	Part	00	00.5	00	01
	86/22	Part	00	00.5	00	01
	87/75	Part	00	05.5	00	14

(1)	(2)	(3)	(4)	(5)	(6)
Mammidipalem (Contd..)	87/80	Part	00	05.5	00 13
	101/3	Part	00	15.0	00 37
	104/2	Part	00	04.0	00 10
	130/1	Part	00	06.0	00 15
	131/9	Part	00	03.0	00 07
	131/21	Part	00	02.0	00 05
	131/4	Part	00	11.0	00 27
	131/17	Part	00	02.0	00 05
	132/12	Part	00	00.5	00 01
	135/12	Part	00	07.5	00 18
	135/14	Part	00	00.5	00 01
	186/24	Part	00	05.0	00 12
	186/21	Part	00	00.5	00 01
	186/26	Part	00	03.0	00 08
	187/2	Part	00	02.5	00 06
	187/3	Part	00	03.0	00 07
	185/25	Part	00	01.0	00 03
	185/24	Part	00	03.0	00 07
	185/30	Part	00	01.0	00 03
	185/21	Part	00	01.5	00 04
	185/17	Part	00	04.0	00 10
	185/16	Part	00	04.0	00 10
	165/1	Part	00	09.5	00 24
	169/10	Part	00	01.0	00 02
	169/7	Part	00	01.0	00 02

(1)	(2)	(3)	(4)	(5)	(6)
Mammidipalem (Contd..)	165/2	Part	00	03.5	00 09
	160/7	Part	00	01.0	00 03
	160/8	Part	00	01.5	00 04
	160/13	Part	00	18.0	00 44
	160/15	Part	00	02.0	00 05
	160/16	Part	00	02.5	00 06
	160/17	Part	00	00.5	00 01
Allikhandupalem	105/2	Part	00	07.0	00 17
	105/5A	Part	00	06.0	00 15
	102/2A	Part	00	12.0	00 30
	102/1G	Part	00	00.5	00 01
	104/1E	Part	00	09.5	00 23
	47/1B	Part	00	32.0	00 79
	47/2	Part	00	15.0	00 37
	47/4	Part	00	23.0	00 57
	44/1	Part	00	18.0	00 45
	29/2	Part	00	10.0	00 25
	15/8	Part	00	04.0	00 10
	15/9	Part	00	01.5	00 04
	33/4	Part	00	12.0	00 32
	94/14	Part	00	25.0	00 62
	57/3	Part	00	07.5	00 18
Tagarampudi Jaganadhapuram	58/1	Part	00	12.0	00 30
	59/1J	Part	00	18.0	00 45
	86/5	Part	00	12.0	00 30

(1)	(2)	(3)	(4)	(5)	(6)
Jaganadhapuram (Contd..)	85/1B	Part	00	05.5	00 13
	83/4	Part	00	07.0	00 17
	83/6	Part	00	00.6	00 01
	102/9C	Part	00	02.0	00 05
	102/15	Part	00	02.0	00 05
	102/14	Part	00	01.0	00 03
	102/16	Part	00	03.0	00 07
	102/17C	Part	00	06.5	00 13
	101/34	Part	00	03.0	00 07
Papayyapalem	2/1	Part	00	06.0	00 15
	163/1	Part	00	20.0	00 49
	163/5	Part	00	14.5	00 36
	164	Part	00	02.0	00 06
	165/2	Part	00	49.0	01 22
	173/2	Part	00	13.0	00 32
	173/3	Part	00	13.5	00 33
	173/4	Part	00	14.5	00 36
	171/2	Part	00	12.5	00 31
	171/3	Part	00	02.5	00 06
	174/4	Part	00	22.5	00 56
	174/5	Part	00	02.5	00 06
	175/2	Part	00	04.5	00 11
	175/3	Part	00	07.0	00 17
	175/4	Part	00	09.5	00 23
	175/6	Part	00	07.5	00 18

(1)	(2)	(3)	(4)	(5)	(6)
Papayyapalem (Contd..)	176/1	Part	00	17.0	00 42
	176/3	Part	00	15.5	00 38
	178/1	Part	00	16.0	00 39
	178/2	Part	00	14.5	00 36
	179/1	Part	00	39.0	00 96
Kundram	179/2	Part	00	34.0	00 84
	61/7	Part	00	25.5	00 63
	26/2	Part	00	25.0	00 62
	26/3A	Part	00	42.0	01 03
	32/3	Part	00	15.0	00 37
	18/3E	Part	00	19.0	00 47
	32/4B	Part	00	26.5	00 66
	18/9B	Part	00	00.5	00 01
	286/31	Part	00	02.5	00 06
	7/1B/S	Part	00	03.0	00 08
	7/1B/T	Part	00	07.0	00 17
	7/1B/Q	Part	00	04.0	00 10
	7/1B/M	Part	00	02.0	00 05
	7/1B/L	Part	00	06.5	00 16
	7/1B/J	Part	00	04.0	00 10
	7/1A/Y	Part	00	05.5	00 13
	7/1A/V	Part	00	03.0	00 08
	7/1/X	Part	00	04.0	00 10
	7/1/W	Part	00	02.5	00 07
	7/3	Part	00	03.5	00 08
	7/4	Part	00	00.5	00 01

[No R-31015/11/95—OR-II Part]

K. C. KATOCH, Under Secy.

नई दिल्ली, 17 जनवरी, 1997

का. आ. 164.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकारी का अर्जन अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और (2) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2662 तारीख 23 अगस्त, 1996 द्वारा विशाखापट्टणम से, पेट्रोलियम का परिवहन आन्ध्र प्रदेश राज्य में विजयवाडा को करने के लिए, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन की, अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 5 नवंबर, 1996 को उपलब्ध करा दी गई थी :

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उस रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइप लाइन बिछाने के लिए उपयोग का अधिकार अर्जित करने की घोषणा करती है ;

यह और कि, केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग के अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

मंडल : अनकापल्लि

जिला : विशाखपट्टणम

राज्य : आन्ध्र प्रदेश

ग्राम का नाम	प्लॉट नं./ तब डि विजन	क्षेत्रफल			
		हेक्टेयर	आर	एकड़	सेन्ट
(1)	(2)	(3)	(4)	(5)	(6)
उडेह	1/1A भाग	00	01.0	00	02

नई दिल्ली, 17 जनवरी, 1997

S.O. 164.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2662 dated the 23rd August, 1996 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of Petroleum from Visakhapatnam to Vijayawada in the State of Andhra Pradesh by Hindustan Petroleum Corporation Limited ;

And whereas, copies of the said gazette notification were made available to the public on 5th November, 1996 ;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government ;

And, further, whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines ;

Schedule

Mandal : Anakapalli

District: Visakhapatnam

State: Andhra Pradesh

Name of Village	Survey No./ Sub Division.	Area			
		Hectare	Ares	Acres	Cents
(1)	(2)	(3)	(4)	(5)	(6)
Uderu	1/1A Part	00	01.0	00	02

[No. R-31015/17/96—OR—II]

K.C. KATOCH, Under Secy.

नई दिल्ली, 27 दिसम्बर, 1996

का. आ. 165.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्यम बैंक ऑफ इंडिया के प्रबंधन के संबंध नियो-जकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचवट को प्रकाशित करती है जो केन्द्रीय सरकार को 29-12-96 को प्राप्त हुआ था।

[संख्या एल-12092/42/93-आई आर (बो-II)]

सनतान, डेस्क अधिकारी

New Delhi, the 27th December 1996

S.O. 165.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, KANPUR as shown in the Annexure, in the industrial dispute between the employer, in relation to the management of CENTRAL BANK OF INDIA and their workman, which was received by the Central Government on the 26-12-1996.

[No. L-12012/42/93-IR (B-II)]

SANATAN, Desk Officer.

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,

PANDU NAGAR, KANPUR.

Industrial Dispute No. 59 of 1993.

In the matter of dispute between :

Ram Bharosey Putra Sri Tikka Ram, Pakana Gursahai, Jhansi.

AND

Regional Manager, Central Bank of India, 372/18-B, Gwalior Road, Jhansi.

AWARD

1. Central Government, Ministry of Labour, vide its notification Number L-12012/42/93-IR B. II, dated 10-8-1993, has referred the following dispute for adjudication to this Tribunal :—

Whether the claim of Shri Ram Bharosey S/o. Shri Tikkaram that the termination of his services by the management of Central Bank of India, w.e.f. 16-12-1981 and that he is entitled to be reinstated in the service of the bank with back wages is justified ? If so, what relief is Shri Ram Bharosey entitled to ?

2. The concerned workman Ram Bharosey in his claim statement has alleged that he was engaged as a messenger/waterman on 5-6-1974 in the Gursahai Branch, Jhansi of the opposite party Central Bank

of India on a permanent post. He continued to work upto 16-12-1981. During this period in perpetuation of unfair labour practice the concerned workman was given artificial breaks and payments were also made as daily rate worker. His services were brought to an end in breach of section 25-G & H of I. D. Act. Hence the termination is bad in law.

3. The opposite party has filed reply in which it has been alleged that the concerned workman was kept as casual labour for doing allied work as and when necessity arose. In such a case there is no question of adopting unfair labour practice as there was no occasion to give artificial breaks.

4. The concerned workman has filed rejoinder in which the new facts alleged in the written statement have been denied.

5. In support of his case the concerned workman Ram Bharosey has examined himself. He has stated that he was appointed as peon on 5-6-1974 and his services were brought to an end on 16-12-1981. He has further proved Ext. W-1 to W-15 the various copies of representation made by him for re-employment. In his cross examination he could not give the details of number of days for which he had worked. He has further conceded that as and when there was work branch manager used to call him for doing the same and payments were made to him accordingly.

6. Maheshwar Nath Nagar M.W. 1 is the branch manager of that bank. He too has stated that concerned workman was engaged to do such work which arose from time to time and it was not of regular nature.

7. From the above evidence it becomes quite clear that there is no evidence worth the name to show that juniors to the concerned workman were retained in service or that any fresh hand were recruited subsequent to the retrenchment of the concerned workman. Thus the issue regarding breach of section 25-G & H of I. D. Act is decided against the concerned workman for want of proof.

8. I am not inclined to accept that the management had indulged in unfair labour practice as concerned workman in his own cross examination has admitted that work was taken from him as and when necessity arose. In other words he was not doing the work of permanent nature at all. In such a situation if the opposite party, bank did not take the work from the concerned workman regularly it would not amount to unfair labour practice as there was no need for it.

9. In the end my award is that termination of the concerned workman by the opposite party is justified and the concerned workman is not entitled for any relief.

10. Reference is answered accordingly.

Dated : 18-12-1996

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 दिसम्बर, 1996

का.आ. 166.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. का मुहलीडोह कोलियरी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1 धनबाद के पंचपट के प्रकाशित करती है जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-20012/242/93-आई आर (सी-I)]
के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th December, 1996

S.O. 166.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Murulidih Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 24-12-1996.

[No. I-20012/242/93-IR (C-I)]
K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) (2-A) of the Industrial Dispute Act, 1947.

REFERENCE NO. 175 OF 1994.

PARTIES :

Employers in relation to the management of
Murulidih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri H. Nath, Advocate.

For the Workmen : None.

STATE : Bihar. INDUSTRY : Coal.

Dated, the 18th Decemer, 1996

AWARD

By Order No. L-20012(242)/93-I.R. (Coal-I), dated 25/27-7-1994 Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-

section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

"Whether the action of the General Manager, Mohuda Area of M/s. B.C.C.L., P. O. Mohuda, Dt Dhanbad in denying to pay substance Allowance to Rajendra Mahto, Miner during his suspension period is justified ? If not, to what relief is the concerned workman entitled ?"

2. The order of reference was received in this Tribunal on 2-8-1994. Thereafter notices were issued to the parties for filing written statement by the workman. Despite several adjournments no written statement has been filed on behalf of the workman. Thereafter registered notice was sent. Even to-day no one is present on behalf of the workman nor any written statement is filed on behalf of the workman. Therefore, it appears that neither the sponsoring union nor the workman is interested to prosecute the present industrial dispute.

3. In such circumstances I pass a 'No Dispute' award in the present reference case.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 26 दिसम्बर, 1996

का.आ. 167.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सी.सी. एल. का पीपरडीह कोलियरी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.-1 धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-20012/106/89-आई आर (सी-I)]

के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th December, 1996

S.O. 167.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Pipradih Colliery of M/s. C.C.L. and their workmen, which was received by the Central Government on 24-12-1996.

[No. L-20012/106/89-IR(C-I)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I,

DHANBAD

In the matter of a reference under Sec. 10(1)(d)

(2A) of the Industrial Disputes Act, 1947

Reference No. 196 of 1989

PARTIES :

Employers in relation to the management of
Pipradih Colliery of C.C.L. P.O. Gomia
(Giridih).

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate.

For the Workmen.—Shri K. Chakravorty, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, the 18th December, 1996

AWARD

By Order No. L-20012/106/89-I.R. (Coal-I) dated, the 4th December, 1989, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Pipradih Colliery of C.C.L. P.O. Gomia, Distt. Giridih (Swang Group) by not allowing two withheld increments and future promotion to Shri Murlidhar Singh is justified ? If not, to what relief the workman concerned is entitled ?"

2. The dispute has been settled by the management and the sponsoring union out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find them quite fair and reasonable. I allow the prayer and pass an award in terms of the settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the I.D. Act, 1947.

TARKESHWAR PRASAD, Presiding Officer

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL NO. 1

DHANBAD

REF. NO. 196/89

PARTIES :

Employers in relation to the Management of
Pipradih Colliery (Swang Group), Central
Coalfields Ltd. P.O. Sawang Distt., Bokaro.

AND

Their workmen.

JOINT COMPROMISE PETITION OF EMPLOYERS AND WORKMEN/UNION CONCERNED

The above mentioned employers and workmen/Union concerned most respectfully beg to submit jointly as follows :

- (1) That the employers and the workmen/Union concerned have jointly negotiated the matter covered by the above reference with a view to arriving at an amicable and mutually acceptable over-all settlement.
- (2) That as a result of such negotiations with the above object, both the parties have agreed to settle the matter on an overall basis on the following terms :—
 - (a) It is agreed that since the workman concerned Sri Murlidhar Singh has since been promoted to the post of Ppper Division Clerk/Clerk Gr. 1 w.e.f. 28-6-1994. The Management shall give him be given notional seniority in the promoted post from the date he was superseded by his juniors about two years ago with no monetary benefit which means that his date of promotion would be back-dated for the purpose of seniority in the said manner.
 - (b) It is agreed that Sri Murlidhar Singh will be given one increment over and above his pay fixation in the post of U.D.C./Clerk Grade I as per the rules of the Company from the date of his promoted to that post, and pay him arrears from that date within six months.
 - (c) It is agreed that this is an overall settlement in full and final settlement of the claims of the workman/Union concerned arising out of the above reference.
- (3) That both the parties hereby declare and confirm that they consider the above terms of settlement as fair, just and reasonable to both the parties.

In view of the above, both the parties hereby jointly pray that the Hon'ble Tribunal may be pleased to accept this joint compromise petition and give an award in terms thereof.

Sd/-

AREA SECRETARY
Kathara Area
Koyala Mazdoor Union
(Murlidhar Singh)

Sd/-

PROJECT OFFICER
Swang Group (Including
Pipradih Colliery)
Central Coalfields Ltd.

For & On behalf of Employers.

Dated : 30-8-1995

नई दिल्ली, 26 दिसम्बर, 1996

का.आ. 168.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स दिस्को का बहेलाटंड कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में

निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, सं.-1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-20012/419/93-आईआर (सी-I)]

के.वी.बी. उण्णो, डेस्क अधिकारी

New Delhi, the 26th December, 1996

S.O. 168.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1 Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bhelatand Colliery of M/s. TISCO and their workmen, which was received by the Central Government on 24-12-1996.

[No. L-20012/419/93-IR(C-I)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Sec. 10(1)(d)
(2A) of the Industrial Disputes Act, 1947

Reference No. 14 of 1995

PARTIES :

Employers in relation to the management of
Bhelatand Colliery of M/s. TISCO.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers.—None.

For the Workmen.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 12th December, 1996

AWARD

By Order No. L-20012(419)/93-I.R. (Coal-I) dated 12-1-1995 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Bhelatand Colliery of M/S. TISCO in suspending Shri U.N. Roy, Attendance Clerk, for 10 days w.e.f. 14-2-1990 is justified ? If not, to what relief the workman is entitled ?”

2. The order of reference was received in this Tribunal on 19-1-1995. Thereafter notices were issued to the parties for filing written statement by the workmen. But none appeared on behalf of the workmen. Thereafter registered notice was sent to the sponsoring union for filing written statement on behalf of the workmen. Even today no written statement is filed on behalf of the workmen. It appears that neither the concerned workman nor the sponsoring union is interested to prosecute the case.

3. In such circumstances I pass a ‘No Dispute’ award in the present reference case.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 26 दिसम्बर, 1996

का.अ. 169.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में केन्द्रीय सरकार मैसरी सां.सो.एल. का हेनडागार कोलियरी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.-1 धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-20012/231/94-आईआर (सी-I)]

के.वी.बी. उण्णा, डेस्क अधिकारी

New Delhi, the 26th December, 1996

S.O. 169.—In pursuance of Section 17 of the Industrial Disputes Act, 1917 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hendigir Colliery of M/s. C.C.L. and their workmen, which was received by the Central Government on 24-12-1996.

[No. L-20012/231/94-IR(C-I)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)
(2A) of the Industrial Disputes Act, 1947.

Reference No. 48 of 1995

PARTIES :

Employers in relation to the management of
Hendigir Colliery of M/s. C. C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi Advocate.

For the Workmen.—None.

STATE : Bihar. INDUSTRY : Coal.
Dated, the 12th December, 1996

AWARD

By Order No. L-20012(231)/94-I.R.(Coal-I) dated 17-/22-5-1995, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the workmen S/Shri Bharat Choudhery, Ganesh Mallah No. 1, Bullo Oraon, Basudeo Oraon Izrail Mian, Ali Hasain Mian, Nasir Mian, Sakhawat Mian, Kunwan Bhuia, Mahesh Sao, Chetlal Sao, Ramdhan Mistry, Smt. Sushila Devi and Smt. Sunderkali Devi, are entitled for protection of their wages and category of work after conversion in Time Rated as was being paid to them in Piece rated job etc. ? If so, to what relief the workmen are entitled ?”

2. The order of reference was received in this Tribunal on 31-5-1995. Thereafter, notices were sent to the parties to file written statement by the workmen. Since none appeared on behalf of the workmen registered notice was sent to the sponsoring union to file written statement on behalf to the workmen. Even to-day none appeared filed written statement on behalf of the workmen. Therefore, it appears that neither the concerned workmen nor the sponsoring union is interested to prosecute the present reference case.

3. In such circumstances, I pass a ‘No Dispute’ award in the present industrial dispute.

TANKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 31 दिसम्बर, 1996

का.आ. 170.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.पी. डब्ल्यू. डी. जैसलमेर के प्रबंधक के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, बीकानेर के पंचपट को प्रकाशित करनी है, जो सरकार सरकार को 27-12-96 को प्राप्त हुआ था।

[सं. एल-42012/20/94-आईआर (डीयू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 31st December, 1996

S.O. 170.—In pursuance of Section II of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bikaner as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of C.P.W.D., Jaisalmer and their workman which was received by the Central Government on 27-12-1996.

[No. L-42012/20/94-IR(DU)]

K. V. B. UNNY, Desk Officer

अनुबंध

औद्योगिक न्यायाधिकरण, बीकानेर

केन्द्रीय औद्योगिक विवाद संसंग सं० 2 सन् 1995

रामनिवास पुत्र श्री भूरागम जाट निवासी मुख्या का बास
नहसील व जिला मुझुनु हाल सर्वोदय बस्ती, बीकानेर

—प्रार्थी/श्रमिक

बनाम

1. कार्यपालक इंजीनियर, बोर्डर फेसिंग डिविजन केन्द्रीय लोक निर्माण विभाग, जैसलमेर
2. अधीक्षक इंजीनियर, बोर्डर फेसिंग सिकल राजस्थान, केन्द्रीय लोक निर्माण विभाग, इस्ट ब्लॉक, आर०के० पुरम, नई दिल्ली।

—अप्राधीगण/नियोजक

रेफरेन्स अन्तर्गत धारा 10(1)(घ), औद्योगिक वि० अधिनियम,
1947

न्यायाधीश—श्री तेंगपाल सिहाग, आर०एच०जे०एस०

उपस्थिति :—

1. श्री मोहम्मद मुस्ताक भाटी, श्रमिक प्रतिनिधि
2. श्री भदललाल श्रीमाली, नियोजक प्रतिनिधि

दिनांक 31 अगस्त, 1996

अधिनिर्णय

श्रम मंत्रालय, भारत सरकार ने “औद्योगिक विवाद अधिनियम, 1947” जिसे अब के पश्चात् सिर्फ “अधिनियम” कहा गया है की धारा 10 की उपधारा (1) के खण्ड (घ) के अधीन जारी अधिसूचना क्रमांक एल० 42012/20/94 आई०आर० (डी०यू०) दिनांक 17-1-95 द्वारा प्रेषित इस रेफरेन्स के अन्तर्गत निम्न विवाद अधिनिर्णयार्थ इस अधिकरण में पठाया था जिसके सम्बन्ध में समसंख्यक शुद्धिपत्र दिनांक 11 अप्रैल, 1996 जारी किया गया है, संशोधन के उपरान्त केन्द्रीय सरकार द्वारा प्रेषित विवाद निम्न प्रकार है :—

“क्या कार्यपालक इंजीनियर, बोर्डर फेसिंग डिविजन के०लो०नि० वि० जैसलमेर द्वारा श्री राम निवास पुत्र

श्री भूराम जाट "IV श्रेणी" को उसके पद से सेवामुक्ति का हृत्पत्र न्यायोचित है ? यदि नहीं तो काभगार किम मदद का हकदार है ?"

2. प्रार्थी रामनिवास जिसे अब के पश्चात् शिर्षक "श्रमिक" कहा गया है के द्वारा प्रस्तुत क्लेम विवरण के अनुसार संक्षिप्त तथ्य इस प्रकार है कि उसकी नियुक्ति अप्रार्थी विभाग में दिनांक 11-11-91 से 750/- रु० मूल वेतन व अन्य देय अर्थात् सहित माहवार वेतन पर चतुर्थ श्रेणी कर्मचारी के रूप में बेलदार के रिक्त पद पर हुई थी जहाँ उसने फरवरी 93 तक लगातार कार्य किया व वेतन प्राप्त किया, उक्त अवधि में उसका कार्य पूर्णतया संतोषजनक था फिर भी अचानक दिनांक 1-3-93 से जुबानी आदेश से नियोजक ने सेवा से पृथक कर दिया और कोई कारण नहीं बताया तथा सेवा मुक्ति का लिखित में आदेश नहीं दिया। श्रमिक द्वारा इस सेवामुक्ति को छंटनी बताते हुए यह भी कहा गया है कि सेवा मुक्ति से पूर्व उसे एक माह का नोटिस अथवा नोटिस के बदले एक माह का अतिरिक्त वेतन भुगतान नहीं किया इस प्रकार अधिनियम की धारा 25-एफ के प्रावधानों के उल्लंघन के आधार पर अवैध एवं एबइनिशियो वॉयड होने व जूनियर कर्मचारी पुत्रराज, जितेन्द्र कुमार व मोहनसिंह डोगरा आदि कार्यरत हैं जिनसे पूर्व उसकी सेवामुक्ति अवैध है इसके अलावा उसके रिक्त स्थान पर नियोजक ने कोई नई नियुक्ति भी कर दी।

श्रमिक की ओर से यह भी बताया गया है कि दिनांक 16-6-93 को अप्रार्थी सं० 2 व अन्य उच्च अधिकारियों के आदेश से अप्रार्थी नियोजक विभाग का स्थानान्तरण बीकानेर से जैसलमेर कर दिया गया व बीकानेर में कार्यरत सभी कर्मचारी व स्टाफ अप्रार्थी सं० 1 के अधीन जैसलमेर स्थानान्तरित हो गये। इस प्रकार अंत में श्रमिक ने सेवा मुक्ति दिनांक 1-3-93 से ही पुनः सेवा में लेने व निरन्तरता के साथ वेतन व सभी देय लाभ दिलाने की प्रार्थना की है।

3. अप्रार्थी नियोजक द्वारा प्रस्तुत जवाब में मुख्यतः श्रमिक के क्लेम को अस्वीकार करते हुए कैजुअल वर्क के लिये न्यूनतम मजदूरी पर फिक्स माहवारी मजदूरी पर बेलदार के कार्य पर लिया जाना और उसके द्वारा 11/11/91 से 28-2-93 तक कैजुअल लेबर के रूप में कार्य करना, श्रमिक स्वयं द्वारा दिनांक 1-3-93 से कार्य पर आना बन्द हो जाना, बीकानेर में ही अन्यत्र रोजगार मिल जाना बताया है। अप्रार्थी नियोजक के अनुसार दिनांक 15-5-93 तक ही मण्डल कार्यालय बीकानेर में था, आकस्मिक प्रोजेक्ट पर कार्य करने के लिये रखना व कार्य पर जबरदस्ती बुलाने के लिये नोटिस भेजने का विभागीय नियम नहीं होना बताते हुए यह भी कहा है कि यह प्रकरण छंटनी का नहीं है श्रमिक स्वयं अपनी मर्जी से सेवा से लम्बे समय तक

अनुपस्थिति रहकर अपनी सेवा समाप्ति का कारण बना है और अधिनियम की धारा 25-एफ, की पालना करने की आवश्यकता नहीं थी व कैजुअल लेबर की वरिष्ठता सूची बनाने का विभागीय नियम नहीं था, फेन्सिंग का प्रोजेक्ट समाप्त हो गया था और मण्डल कार्यालय समाप्त कर दिया गया इसके बाद दिनांक 17-3-93 से जैसलमेर में नया मण्डल कार्यालय का सृजन किया गया और रोड प्रोजेक्ट आरंभ किया गया। अन्य सभी तथ्यों को अस्वीकार करते हुए श्रमिक का क्लेम खारिज करने की प्रार्थना की गई।

4. साथ ही श्रमिक में श्रमिक रामनिवास ने अपने स्वयं का शपथपत्र पेश किया जिससे नियोजक द्वारा जिरह की गई इसके विपरीत नियोजक की ओर से सर्वश्री जे०के० मेघानी कार्यपालक इंजीनियर व दिलीपकुमार कनिष्ठ अभियंता ने अपने-अपने शपथपत्र पेश किये जिनसे श्रमिक द्वारा जिरह की गई। दस्तावेज पेश हुए।

5. बहस सुनी गई एवं पत्रावली का अवलोकन किया गया।

6. विद्वान प्रतिनिधि श्रमिक की ओर से बहस की गई है कि श्रमिक ने शपथपत्र प्रस्तुत कर क्लेम विवरण के अनुसार ही शपथ कथन किया है कि उसे 1-3-93 को जुबानी आदेश से सेवा मुक्त कर दिया और उसके अनुसार यह सेवा मुक्ति छंटनी की परिभाषा में आती है दिनांक 11-11-91 से फरवरी 93 तक अप्रार्थी विभाग में कार्य करना प्रमाणित है। विद्वान प्रतिनिधि श्रमिक के द्वारा निम्न विनिश्चय पेश किया गया:—

आर०एल०डब्ल्यू० 1993(2) फेज 179: नाथुराम सैनी
(राज उच्च न्यायालय)

बनाम
हिन्दुस्तान कोपर लि०

श्रमिक की ओर से यह भी बहस की गई है कि यदि तर्कों के लिये यह मान भी लिया जाये कि श्रमिक 1-3-93 से अपने कार्य से अनुपस्थित हो गया था तो भी अनुपस्थिति के इस आरोप पर उसके विरुद्ध कोई पांच नियोजक द्वारा विधि अनुसार नहीं की गई है ऐसी सूरत में उसकी सेवा मुक्ति न केवल छंटनी है अपितु नैसर्गिक न्याय के सिद्धान्तों के भी विपरीत होने से अनुचित एवं अवैध है जिसके कारण श्रमिक की सेवामुक्ति निरस्तनीय है और वह सेवा मुक्ति दिनांक से ही अप्राधीगण के नियोजन में पुनः बहाल होने का अधिकारी है।

7. इसके विपरीत विद्वान प्रतिनिधि नियोजक की ओर से बहस की गई है कि पाकिस्तान के बाईर के साथ तार की फेन्सिंग किये जाने के लिये एक निश्चित कार्यक्रम के अन्तर्गत आकस्मिक मजदूर के रूप में लगाया था, कार्यक्रम समाप्त होने पर व आवश्यकता नहीं होने के ये कारण श्रमिक सेवा में आने का दावा करने में सक्षम नहीं है। इसके

प्रतिरिक्त उनकी यह भी बहस है कि श्रमिक स्वयं अपनी स्वैच्छा से कार्य से अनुपस्थित हो गया था और उसने जैसलमेर में नया प्रोजेक्ट आरंभ होने पर कार्य नहीं करने की इच्छा भी जाहिर कर दी थी। उनके अनुसार श्रमिक रामनिवास शुद्ध रूप से आकस्मिक मजदूरी के लिये ही कार्य पर लिया गया था और जिस कार्य के लिये उसे कार्य पर रखा गया था वह कार्य भी समाप्त हो चुका है आगे के कार्य की स्वीकृति भारत सरकार से जारी भी नहीं की गई थी ऐसी स्थिति में औद्योगिक विवाद अधिनियम इस प्रकरण में लागू नहीं होता है न ही धारा 25-एफ, 25-जी और 25-एच लागू होती है, केन्द्रीय सरकार द्वारा किया गया रैफरेन्स विधि विरुद्ध है। उनकी यह भी बहस है कि जैसलमेर में भी प्रोजेक्ट का कार्य समाप्त हो चुका है और नया प्रोजेक्ट जम्मू में आरंभ किया गया है ऐसी स्थिति में श्रमिक सेवा में पुनः बहाल होने का अधिकारी नहीं है और उसका क्लेम रीट्रिज किये जाने की बहस की गई है।

8. विद्वान प्रतिनिधि श्रमिक की ओर से पेश किये गये उक्त विनिश्चय आर०एल०डब्ल्यू० 1993(2) पेज 179 में माननीय राजस्थान उच्च न्यायालय द्वारा निम्न प्रकार अधिनिर्धारित किया गया है:—

“सेवा पर से अनधिकृत अनुपस्थिति के आरोप पर सेवा से मुक्त करना—सेवा पर से अनुपस्थित रहना अवचार है—सेवा से मुक्त करने के पूर्व अवचार के आरोप के सम्बन्ध में जांच होनी चाहिये थी। बिना जांच के सेवा से मुक्ति करना, नैसर्गिक न्याय के अतिक्रमण करना है और इसे छटनी ही माना जावेगा। धारा 25(घ) के प्रावधानों की अनुपालना करनी ही पड़ेगी।”

हमारे समक्ष प्रस्तुत इस प्रकरण में भी श्रमिक की इस अनुपस्थिति के बारे में भी स्वीकार्यतः नियोजक द्वारा कोई जांच विधि अनुसार कर उसे दण्ड स्वरूप सेवा मुक्त नहीं किया गया है। न नियोजक द्वारा न्यायालय में भी अधिनियम की धारा 11-ए के अन्तर्गत श्रमिक के विरुद्ध उक्त दुराचरण के सम्बन्ध में जांच करने हेतु कोई आवेदन किया गया है। परिणामतः श्रमिक के इस मामले में उक्त विनिश्चय चर्चा होता है और उसकी यह सेवा मुक्ति अधिनियम की धारा 2(00) के अधीन वर्णित किसी अपवाद में नहीं आने के कारण छटनी ही मानी जाती है। हमारे समक्ष प्रस्तुत इस प्रकरण के अन्तर्गत अप्रार्थी नियोजक द्वारा ऐसी कोई साक्ष्य पेश नहीं की गई है कि श्रमिक को किसी विशिष्ट परियोजना में किसी निश्चित अवधि के लिये नियुक्त किया गया हो और वह अवधि समाप्त होने के साथ उसकी सेवा मुक्ति हुई हो। प्रकरण के सभी तथ्यों और साक्ष्य को देखते हुए मेरी राय में श्रमिक की इस सेवामुक्ति को छटनी ही मानी जाती है। इस प्रकरण में श्रमिक द्वारा एक कलैण्डर वर्ष में 240 दिन निरन्तर सेवा पूरी कर लेना विवाचित नहीं है। हम विद्वान प्रतिनिधि नियोजक के इस तर्क से

सहमत नहीं हैं कि श्रमिक आकस्मिक मजदूर के रूप में कार्यरत था अतः उसके इस प्रकरण पर अधिनियम की धारा 25-एफ एवं जी० के आज्ञापक प्रावधान लागू ही न होते हो।

9. श्रमिक द्वारा वह अपने शपथपत्र में सशपथ कथन अंकित किया गया है कि सेवामुक्ति के पूर्व एक माह का नोटिस नहीं दिया और न ही नोटिस की अवधि के पहले एक माह का प्रतिरिक्त वेतन भुगतान किया गया और न आफर किया गया इसके विपरीत नियोजक की ओर से कोई साक्ष्य नहीं है। ऐसी सूरत में हम विद्वान प्रतिनिधि श्रमिक के इस तर्क से पूर्णतया सहमत हैं कि इस श्रमिक को सेवा मुक्ति के पूर्व एक माह का नोटिस अथवा नोटिस के बदले वेतन और छटनी मुआवजा नहीं दिये जाने के कारण अधिनियम की धारा 25-एफ० के आज्ञापक प्रावधानों का उल्लंघन होना अवलम्बित प्रमाणित है।

10. हम विद्वान प्रतिनिधि श्रमिक के इस तर्क से भी पूर्णतया सहमत हैं कि अधिनियम की धारा 25-जी एवं नियम-77 की पालना में तथाकथित सेवामुक्ति के पूर्व इस श्रमिक जैसे अन्य श्रमिकों की वरिष्ठता सूची प्रकाशित करनी अनिवार्य थी, जो स्वीकार्यतः नहीं की गई। परिणामतः श्रमिक की सेवामुक्ति अधिनियम की धारा 25-जी एवं नियम-77 के आज्ञापक प्रावधान के उल्लंघन में होनी भी प्रमाणित है।

11. उपरोक्त विवेचन के आधार पर श्रमिक की सेवामुक्ति जो अधिनियम की धारा 25-एफ एवं जी० के आज्ञापक प्रावधानों के उल्लंघन में होने के कारण अनुचित एवं विधि विरुद्ध छटनी है, जो निरस्तनीय है। हमारे समक्ष विद्वान प्रतिनिधि नियोजक की ओर से यह भी बहस की गई है कि श्रमिक जिस कार्य पर बीकानेर में कार्यरत था वह कार्य और कार्यालय 15-5-93 को समाप्त हो गया और जैसलमेर महासंयुक्त प्रोजेक्ट पर श्रमिक कार्य करने का इच्छुक नहीं था अतः अब वह सेवा से पुनः बहाल होने का अधिकारी नहीं है, इसी सम्बन्ध में नियोजक की ओर से यह भी बहस की गई है कि जैसलमेर से भी प्रोजेक्ट का कार्य समाप्त हो चुका है और नया प्रोजेक्ट जम्मू में आरंभ किया गया है जो अप्रार्थीगण के कार्य क्षेत्र में नहीं है ऐसी सूरत में न्यायालय द्वारा पारित पंचाट को बर्कबल बनाने में कानूनी और प्रशासनिक तथा वित्तीय कठिनाइयां उत्पन्न हो जायेंगी। इस बारे में निम्न विनिश्चय पेश किया गया:

1996(1) यू०जे० एस०सी० 226: स्टेट आफ हिमाचल प्रदेश
बनाम

नोथाराम व अन्य

इस बारे में विद्वान प्रतिनिधि श्रमिक की ओर से बताया गया कि उक्त विनिश्चय के तथ्य भिन्न होने से इस मामले में चर्चा नहीं होता है। उनकी बहस थी कि श्रमिक की सेवामुक्ति अधिनियम की धारा 25-एफ० एवं जी० के आज्ञापक

प्रावधानों के उल्लंघन में होनी प्रभावित हुई है अतः वह अप्रार्थी के नियोजन में पुनः सेवामुक्ति दिनांक में बहाल होने का अधिकारी है।

12. स्वयं श्रमिक की ओर से प्रस्तुत क्लेम व शपथपत्र में यह बताया गया है कि 16-6-93 को अप्रार्थी सं० 2 व अन्य उच्च अधिकारियों के आदेश है अप्रार्थी विभाग का स्थानान्तरण जैसलमेर हो गया था जिसके बारे से नियोजक द्वारा प्रस्तुत जवाब के अनुसार नियोजक साक्षी जे०के० मेघानी ने अपने शपथपत्र में यह कहा है कि 15-5-93 के बाद यह मण्डल कार्यालय बीकानेर में समाप्त कर दिया गया था और जैसलमेर के बोर्डर पर सड़क निर्माण के प्रोजेक्ट की नई स्कीम आ गई थी इस कारण स्पाई कर्मचारी जो स्थानान्तरित होने थे और आकस्मिक श्रमिक के रूप में कार्य कर रहे थे और जिन्होंने अपनी इच्छा से जैसलमेर जाकर कार्य करना चाहा था उन्हें जैसलमेर में कार्य पर रख लिया गया था, इस गवाह के अनुसार श्रमिक रामनिवास जैसलमेर जाने का इच्छुक नहीं था क्योंकि वह जिला मजदूरों का निवासी था और जैसलमेर के बोर्डर पर जाने का इच्छुक नहीं था गवाह के इस कथन का समर्थन नियोजक के दूसरे गवाह विलीप कुमार ने भी किया है। नियोजक के गवाह श्री जे०के० मेघानी ने तो अपने शपथपत्र में यह भी कहा है कि जैसलमेर की रोड प्रोजेक्ट स्कीम भी समाप्त हो चुकी है। ऐसी सूरत में हम प्रकरण के सभी तथ्यों और परिस्थितियों पर गौर करने के उपरान्त इसी नतीजे पर पहुंचते हैं कि श्रमिक को अप्रार्थी के नियोजन में सेवा मुक्ति दिनांक से पुनः बहाल करना उचित नहीं है परन्तु श्रमिक की सेवामुक्ति अधिनियम की धारा 25-एफ एवं जी० के आज्ञापक प्रावधानों की पालना किये बिना पायी गयी है— इसे ध्यान में रखते हुए हम इस श्रमिक को बीकानेर मण्डल कार्यालय समाप्त होने की दिनांक 15-5-93 तक की अवधि का देय वेतन स्वरूप ही 2500/- र० की राशि दिलाना उचित एवं वैध समझते हैं क्योंकि विद्वान प्रतिनिधि नियोजक द्वारा पेश किये गये उक्त विनिश्चय में यह अभिनिर्धारित किया गया है कि दैनिक वेतन भोगी कर्मचारियों को योजना समाप्त होने के कारण सेवा में नियमित करने के लिये विचार हेतु निर्देशित किया जाना उचित नहीं है।

13. उपरोक्त समस्त विवेचन के आधार पर श्रम मंत्रालय केन्द्रीय सरकार द्वारा प्रेषित इस रैफरेन्स के सन्दर्भ में निम्न प्रकार अधिनिर्णय पारित किया जाता है:—

श्रमिक रामनिवास पुत्र श्री भूराम जाट “IV श्रेणी” को उसके पद से सेवामुक्त करने का कृत्य न्यायोचित नहीं था परन्तु वह बीकानेर मण्डल कार्यालय समाप्त होने के कारण सेवा में पुनः नियोजित होने का अधिकारी नहीं है और वह अप्रार्थीगण के सेवा मुक्ति दिनांक 1-3-93 से दिनांक 15-5-93 के बीच की अवधि में देय पिछले वेतन स्वरूप एक मुश्न 2500/- रुपया ही पाने का अधिकारी है।

उक्त अधिनिर्णय केन्द्रीय सरकार को प्रकाशनार्थ अधिनियम की धारा 17(1) के अन्तर्गत पढ़ाया जावे।

14. आज दिनांक 31-8-96 को सरे इजलास लिखाई व सूनाई जाकर हस्ताक्षरित की गई।

नेगपाल सिहाग,
न्यायाधीश
बीकानेर

नई दिल्ली, 28 दिसम्बर, 1996

का०आ० 171.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ए०पी०एम०डी०सी, हैदराबाद के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-12-96 को प्राप्त हुआ था।

[मं. एन-29012/55/93-आई०आर० (विविध)]
के० वी०बी० उण्णी, डेस्क अधिकारी

New Delhi, the 28th December, 1996

S.O. 171.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of A.P.M.D.C., Hyderabad and their workman, which was received by the Central Government on 27-12-1996.

[No. L-29012/55/93-IR(Misc.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial
Tribunal-I.

Dated : 29th day of November, 1996

INDUSTRIAL DISPUTE NO. 81 OF 1994

BETWEEN

The General Secretary, A.P.M.D.C.,
Workers Union, Mangampet (PO),
Cuddapah District

.. Petitioner

AND

The Managing Director, A.P.M.D.C.,
H. No. 8-3-945, IInd & 3rd Floors,
Pancom Business Centre, Amrapet,
Hyderabad-16. . . Respondent

APPEARANCES :

Sri C. Suryanarayana, Advocate for the Petitioner
Sri A. Sudharshan Reddy, Advocate for the
Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi made a reference to this Tribunal by its Order No. L-29012/55/93 IR(Misc.) dt. 26-9-1994 under Section 10(j)(d) and (2A) of the Industrial Disputes Act, 1947 for adjudication of the Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the Management of APMO, Hyderabad is justified in terminating the service of Shri M. Venkataiah & Y. Gangaiah as if they have attained the age of superannuation. If not what relief they are entitled to ?"

The said reference has been taken on file and a notice was issued to both the parties and they have put in their appearance.

2. The General Secretary of the Petitioner-union filed a claim statement contending as follows : The workmen M. Venkataiah and Y. Gangaiah gave approximate ages at the time of initial recruitment and the said information was recorded in the 'B' Register. The Respondent altered the entries in the said 'B' Register subsequently, without notice to the concerned workmen or the union. Sri Y. Gangaiah was retired on 12-7-1991 when his age was 45 years by the date as per the entry in the 'B' Register. The opinion of the Medical Board is unauthorised and impermissible. No Medical Officer can determine the age with a wide gap in between the minimum and maximum possible ages. The age recorded in the registers cannot be altered as per Rule 80 of General Financial Rules, 1963. It is an offence to alter the entries under Section 64 of the Mines Act. The respondent is not justified to retire these two workmen. Therefore the Tribunal may please order for reinstatement of these two workmen into service with back wages and consequential benefits.

3. The Respondent-Management filed a counter affidavit contending as follows : The workmen gave as approximate age at the time of initial recruitment which was entered in the 'B' Register. They gave Date of Birth at the time of nomination for Provident Fund. So new 'B' Register was prepared. Y. Gangaiah was to retire on 30-6-2004 as per the initial declaration and on 31-7-1991 as per the declaration for the Provident Fund. Similarly M. Venkataiah has to retire on 30-6-2001 as per his initial declaration, but he was retired on 31-7-1992 as per the Date of Birth given in Provident Fund Nomination. So they were retired on 31-7-1991 and 31-7-1992 respectively. The Union which raised the dispute agreed for referring the two workers and other workers to Medical Board. The Medical Board examined

these two workmen and opined that they are aged between 55 & 65 years. Even by taking the average of the two ages, they were retained correctly. Therefore the workmen are not entitled to any relief.

4. The General Secretary of the Union is examined as W.W. 1 and he filed Exs. W1 to W10. The Senior Administrative Officer is examined as M.1 and he filed Exs. M1 to M4.

5. The point for consideration is whether the respondent is not justified in retiring Sri M. Venkataiah and Y. Gangaiah from service ?

6. Point :—The admitted facts of the case are as follows : Sri M. Venkataiah joined the service on 21-8-1975 and he declared his age as 32 years at that time. He was given Ex. W8 Identity Card and the reverse of which his age was shown as 32 years. The age of the retirement is 58 years. So he has to retire in 2001 after service of 26 years. Similarly Y. Gangaiah declared his age as 30 years when he joined on 18-10-1976. He was given Ex. W9 Identity Card. On the reverse of which his age was shown as 30 years. He should retire on 30-6-2004, retirement age being 58 years.

7. M. Venkataiah was retired on 31-7-1992 and Y. Gangaiah was retired on 31-7-1991 on the ground they completed 58 years by those dates. It resulted in this dispute.

8. The workmen relied upon the above Identity Cards. The Management relies upon Ex. M3 and M2 declarations given by M. Venkataiah and Y. Gangaiah respectively, under the Employees Pension Scheme 1971 in support of its contention. M. Venkataiah declared in Ex. M3 that his date of birth is 8-7-1934 and that he has a wife Subbamma aged 30 years, and two daughters M. Nagamma and M. Mallamma aged 8 and 4 years respectively. Similarly Y. Gangaiah gave Ex. W2 declaration stating that he was born on 12-7-1933 and that he was a wife Gangaamma aged 35 years and two sons Venkataramana and Gangeoji aged 15 and 12 years respectively. The fresh 'B' Register was prepared basing upon these declarations. These two workmen were retired relying upon the Date of Births given by them in these two declarations Exs. M3 and M2 respectively.

9. Unfortunately these documents did not bear any date to know when these declarations were given. Both the workmen are marksmen. It was suggested to M.W. 1 that these documents were brought into existence by the staff of the Management. The suggestion does not stand the reason as the staff do not have any interest to cause loss to the workmen. The workmen are not examined in this Tribunal to explain these documents. No doubt the respondent did not file both the 'B' Registers. But no adverse inference can be drawn as the respondent-Management admitted the contents of the two registers in the counter as well as in the evidence of M.W. 1.

10. The Union raised a dispute and both the parties agreed to refer the workmen in question to the Medical Board and the Assistant Commissioner of Labour closed the dispute by Ex. W3 of which Ex. M1 is a copy dt. 19-8-1992.

11. When these two workmen and some others were referred to the Medical Board, the Board consisting of (1) Prof. of Forensic Medicine of Sri Venkateswara Medical College, Tirupathi as Chairman, (2) Prof. of Ophthalmology (3) Professor of Medicine of the same College and (4) the Medical Officer of the Respondent as Members examined these two workmen and four others and gave Ex. M4 opinion. They opined that these two workmen were aged between 55 and 65 years, while the other four workmen were aged between 60 and 70 years. The union gave up the cause of other four workman and renewed the cause of these two workmen before the Asst. Commissioner as their minimum age is 55 years, the retirement age being 58. The Respondent-Management did not agree to refer the matter for arbitration and so the dispute is referred to this Tribunal.

12. The contention of the workmen is that initial declaration should be accepted and not the subsequent declaration. The workmen should have been examined two state whether they put L.T.I. or not on Exs. M2 and M3 and also whether they gave information mentioned therein or not. The union having failed to examine the concerned workmen, does not have any ground to ask the Tribunal to completely ignore Exs. M2 and M3 declarations. The respondent-Management is Mineral Development Corporation which is set up by the Government. The Officers and the Staff will not have any interest to prepare a false record. These declarations must have been given within short time after the workmen joined the service as the scheme is of 1971. So they cannot be brushed aside. Even the Medical Board opinion is against the workmen. The Medical Board held in 1993 that the age of these two workmen is in between 55 and 65 years. Even if a mean is struck, these two workmen are aged about 60 years in 1993 and so they were correctly retired in 1991 at the age of 58 years.

13. The learned Advocate for the petitioner-workmen relied upon certain decisions. The Central Administrative Tribunal, Madras Bench in N. ARUMU-GAM v. Central Public Works Department (1987) (4) SLB Page 160) held that the Medical Board's opinion regarding the age is only piece of evidence and not conclusive. But the workmen failed to produce any other proper evidence. The Central Administrative Tribunal, Jabalpur Bench [1987(4) SLR Page 203] held that visual impression of the Medical Officer regarding the age of the plaintiff is not proper medical examination and it cannot prevail over the other primary school certificate. This decision is not applicable to the facts of this case, for the two reasons that the opinion of the Medical Board is not given on visual observations. It was mentioned in Ex. M4 that the Board formed the opinion after going through the X-Rays and observations made by the Medical Officers who examined these two workmen. Secondly the workmen did not produce entries of the date of birth register or the School Record.

14. The learned counsel for the petitioner partly relied upon the decision of Central Administrative Tribunal, Cal Bench [1991(3) and SLR Page 541] in Hapadhan Dey v. Union of India and others wherein

it was held that the determination of date of birth by the Medical Officer merely on the basis of the appearance is arbitrary and unsustainable. The above counsel answers this decision also.

15. The workmen gave inconsistent versions with regard to their ages. The version relied upon by the Respondent-Management is supported by the medical evidence. The workmen failed to produce any other reliable evidence in proof of their contentions about their ages.

16. In the result an Award is passed holding that the workmen M. Venkataiah and Y. Gangaiah are not entitled to any relief.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 29th day of November, 1996.

V. V. RAGHAVAN, Industrial Tribunal
Appendix of evidence

Witness examined for the	Witness examined for the
Petitioner	Respondent

W.W. 1 C. Shankaraiah M. W.1 Dora Swamy Reddy	
Documents marked for the Petitioner.	

Ex. W1 : Letter dt. 1-8-91 of the Union addressed to the Asst. Labour Commissioner (Central) Hyderabad to investigate into the matter.

Ex. W2 : Letter dt. 6-7-92 of the Union addressed to the Regional Labour Commissioner (Central) Hyderabad to investigate into the matter.

Ex. W3 : Minutes of conciliation proceedings held on 19-8-82.

Ex. W4 : Letter dt. 28-7-93 of the Union addressed to the Asst. Labour Commissioner, Hyderabad for doing the justice.

Ex. W5 : Minutes of discussions held before ALC(C) on 21-8-93.

Ex. W6 : Minutes of Conciliation Proceedings held on 18-10-1993 before the ALC(C), Hyderabad.

Ex. W7 : Failure report dt. 16-11-93 submitted by the ALC(C)-I, Hyderabad.

Ex. W8 : Identity Card of M. Venkataiah.

Ex. W9 : Identity Card of Y. Gangaiah.

Ex. W10 : Order in O.O. No. APMDC/HRD/DOB/94/4871 dt. 26-5-94 issued by the Respondent-Management to the General Manager, Mangampeta Barytes Project & others.

Documents marked for the Respondent

Ex. M1 : Minutes of Conciliation held on 19-8-1992.

Ex. M2 : Declaration form of Employees Family Pension Scheme, 1971 submitted by Y. Gangaiah.

Ex. M3 : Declaration Form of Employees family Pension Scheme, 1971 submitted by M. Venkataiah.

Ex. M4 : Covering letter dt. 6-4-1993 of Medical Board alongwith the Medical Board's proceedings.

नई दिल्ली, 31 दिसम्बर, 1996

कां.ग्रा. 172 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय पशु प्रजनन केन्द्र, सूखगढ़ के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, बिकानेर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-12-96 को प्राप्त हुआ था।

[सं.एल.-42012/119/93-आई आर (डी यू.)]
के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 31st December, 1996

S.O. 172.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bikaner as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central Cattle Breeding Farm Suratgarh and their workman, which was received by the Central Government on 27th December, 1996.

[No. L-42012/119/93-IR(DU)]

K. V. B. UNNY, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण, बिकानेर

नं. मु. सी.आई.टी. रैफरेन्स सं. 3/1995

सुभाष यादव—मार्केट श्री भारतभूषण आर्य—महामंत्री,
बिकानेर डिविजन ट्रेड यूनियन काउन्सिल, 1 खजांची बिल्डिंग
बिकानेर

—प्रार्थी/श्रमिक

बनाम

निदेशक, केन्द्रीय पशु प्रजनन केन्द्र सुरतगढ़

—प्रार्थी/नियोजक

रैफरेन्स अन्तर्गत धारा 10 (1) (घ), औद्योगिक अधिनियम, 1947

न्यायाधीश—श्री देगपाल सिद्धाग, आर.एच.जे.एस.
उपस्थिति :-

1 श्री भारतभूषण आर्य, श्रमिक प्रतिनिधि

2 श्री भू.सी. गुप्ता, नियोजक प्रतिनिधि
अधिनिर्याय

दिनांक 25 अक्टूबर, 1996

भारत सरकार, नई दिल्ली ने "औद्योगिक विवाद अधिनियम, 1947" जिसे अब के पश्चात सिर्फ "अधिनियम" कहा गया है, की धारा 10 की उपधारा (1) के खण्ड (घ) के

अन्तर्गत जारी आदेश क्रमांक 42012/119/93-आई.आर. (डी.यू.) दिनांक 30-9-94 के द्वारा प्रेषित इस लफरेन्स के अन्तर्गत निम्न विवाद अधिनिर्याय दृष्ट न्यायाधिकरण में पढ़ाया था :-

"Whether the action of the management of Central Pashu Prajanan Kendra Suratgarh in terminating the services of Shri Subhash Yadav s/o Shri Ramharkh Yadav is proper, legal and justified? If not, to what relief the workman is entitled?"

2. प्रार्थी सुभाष यादव जिसे अब के पश्चात सिर्फ "श्रमिक" कहा गया है, को श्रौर से यूनियन द्वारा प्रस्तुत क्लेम विवरण के अनुसार संक्षिप्त तथ्य इस प्रकार है कि यह श्रमिक अप्रार्थी संस्थान में 1-12-78 को नियुक्त हुआ था और एक पुराना व स्थाई कर्मचारी था, उसने अपना सेवाकाल एक वर्ष व 240 दिनों से अधिक व निरन्तर सेवा काल पूरा कर लिया था और वह एक औद्योगिक कर्मकार था तथा अधिनियम की धारा 25-एफ जी व एच के अन्तर्गत देय लाभ प्राप्त करने का अधिकारी है, अप्रार्थी ने उसे दिनांक 29-10-87 से अपने जुवानों आदेश से सेवा मुक्त कर दिया और सेवा मुक्त करने से पहले कोई वरिष्ठता सूची का प्रकाशन नहीं किया गया तथा कोई नोटिस या एक माह का वेतन एवं कुल सेवाश्रद्धा का छंटनी मुआवजा नहीं दिया न छंटनी को सूचना राज्य सरकार को दी। अंत में श्रमिक की इस सेवा मुक्ति को अधिनियम की धारा 25-बी, एफ, जी एवं एच. के उल्लंघन में बताते हुए वैध होने के कारण निरस्त किये जाने और सेवा मुक्ति दिनांक 29-10-87 से पुनः सेवा में सभी देय लाभों में वृद्धि बढ़ा। किये जाने की प्रार्थना की है।

3. अप्रार्थी नियोजक द्वारा प्रस्तुत जवाब में प्रारम्भिक आपत्तियों में कहा है कि वेतन प्रार्थी स्वयं ने पेग नहीं लिया है, सारी कार्यवाही भारतभूषण आर्य ने उसकी तरफ से की है जो न्यायसंगत व उचित नहीं है जिसके हक में कोई अधिकार पत्र भी उसने निष्पादित नहीं किया है और उसके अलावा ऐसा कोई सबूत भी पेश नहीं किया है कि वह श्रमिक उसको किसी यूनियन का सदस्य है, बिकानेर ट्रेड यूनियन काउन्सिल कोई मान्यता प्राप्त ट्रेड यूनियन नहीं है—न अप्रार्थी ने इसे मान्यता दी है इस प्रकार अप्रार्थी नियोजक के अनुसार कोई विवाद है ही नहीं इसलिये इस सम्बन्ध में जो भी कार्यवाही हुई है वह गलत है, अप्रार्थी संस्थान "उद्योग" की परिभाषा में नहीं आता है और इस पर अधिनियम के प्रावधान लागू नहीं हैं।

4. मद्देनार उत्तर प्रस्तुत करते हुए अप्रार्थी नियोजक ने मुख्यतया बताया है कि श्रमिक अप्रार्थी नियोजक के अन्तर्गत कार्यरत कर्मचारी नहीं है, उसे दैनिक वेतन भोगी श्रमिक के रूप में निश्चित अवधि के लिये निश्चित आय के लिये संजोन पर लगाना व 1987 के बाद कमी काम पर नहीं आना बताया है और 28-10-87 के बाद आप खुर ही छोड़कर चला जाना कहा है। अंत में यह भी कि प्रत्यक्ष बारश्रम प्रवर्तन अधिकारी के समक्ष 1993 में आवेदन प्रस्तुत करना, भैसे

पालकर अपना दूध का धन्धा करना कहते हुए कहा है कि वह पिछला वेतन प्राप्त करने का अधिकारी नहीं है। अन्य सभी तथ्यों को अस्वीकार किया गया है और क्लेम खारिज करने की प्रार्थना की गई है।

5. साक्ष्य में श्रमिक सुभाष ने अपना और सहकर्मी रामप्यारेलाल का शपथपत्र पेश किया जिससे नियोजक द्वारा जिरह की गई इसके विपरीत अप्रार्थी की ओर से बलदेवसिंह ने अपना शपथपत्र प्रस्तुत किया जिससे श्रमिक द्वारा जिरह की गई दस्तावेज पेश हुए।

6. बहस सुनी गई और पत्रावली का अवलोकन किया गया।

7. निर्णय हेतु देखना है कि :-

(1) आया श्रमिक की सेवा मुक्ति छंटनी है ?

(2) आया अधिनियम की धारा 25-एफ एवं जी. के आज्ञापक, प्रावधानों की पालना तथाकथित छंटनी के पूर्व की जानी अनिवार्य था यदि हाँ तो क्या पालना की गई ?

(3) श्रमिक क्या राहत पाने का अधिकारी है ?

बिन्दु सं० 1

8. क्लेम के अनुसार ही श्रमिक ने अपने शपथपत्र में भी 1-12-78 से 28-10-87 तक अप्रार्थी के यहाँ लगातार सेवारत रहना और दिनांक 29-10-87 को सेवा से पृथक् करना कहा है और प्रदर्श डब्ल्यू. 1 व 2 पेश किये हैं। जिरह में पूछने पर यह श्रमिक कहता है कि यह कहना गलत है कि मैं 28-10-87 को खुद काम छोड़कर गया था, मैं अनपढ़ हूँ इसलिये नहीं पता कि कब से कब छुट्टी पर गया था पर छुट्टी मंजूर कराकर गया था, मुझे बलदेवसिंह हाजिर ध्वाजत ने हटाया था इन्होंने कहा था मेरे पास कोई काम नहीं है, फार्म में रेग्युलर कर्मचारी भी है, मैंने लगभग 9-10 साल तक काम किया है, मैं एक महीने की छुट्टी पर गया था। श्रमिक के इस शपथ कथन का समर्थन करते हुए रामप्यारेलाल यादव ने भी अपना शपथपत्र पेश किया है जो यूनियन का अध्यक्ष है। श्रमिक द्वारा प्रस्तुत इस साक्ष्य के विपरीत नियोजक को ओर से बलदेव सिंह ने अपना शपथपत्र पेश किया जिसमें उसने यह अंकित कराया है कि श्रमिक ने कुछ अर्से तक के लिये समय समय पर 28-10-87 तक काम किया था उसके बाद वह स्वेच्छा से काम छोड़कर चला गया और कभी भी काम करने की इच्छा जाहिर नहीं की। नियोजक का यह साक्षी जिरह में स्वीकार करता है कि यह सही है कि प्रार्थी की नियुक्ति विशेष अवधि व सोजन के लिये की गई थी इसके लिये कोई आदेश जारी नहीं किये गये... दैनिक वेतन भोगी कर्मचारियों के लिये ऐसे आदेश या नियुक्ति पत्र जारी नहीं किये जाते, हम लोग दैनिक वेतन भोगी मजदूरों को, कार्यालय आदेश काम करने के बारे में, अवधि के बारे में आदेश नहीं दिये जाते ये बल्कि मौखिक आदेश जारी करते थे। हमने सुभाष

यादव को सोजनन काम के लिये रखा था, जैसे पानी लगाना, फसल काटना, पानी के खाने तैयार करना, पारे के बीज का उत्पादन करना व उसका काटना... हमारे फार्म में उपरोक्त कार्य के लिये नियमित कर्मचारी भी रखे गये हैं लेकिन कार्य को जल्दी नाटवाने के लिये दैनिक वेतन भोगी कर्मचारी रखे जाते हैं। जुमानों यह नहीं है कि इस श्रमिक को किस निश्चित अवधि के लिये रखा, श्रमिक स्वयं जब कार्य छोड़कर गया था तब उसने श्रमिक अनुपस्थिति के बारे में कोई नोटिस का कार्यवाही नहीं की थी।

9. उपरोक्त साक्ष्य के आधार पर विद्वान प्रतिनिधि श्रमिक की बहस है कि श्रमिक को 29-10-87 से काम पर नहीं लेना और मौखिक आदेश से सेवा मुक्त करना छंटनी है इसके विपरीत विद्वान प्रतिनिधि नियोजक की ओर से बहस थी कि श्रमिक ने सोजनल कार्य पर निश्चित अवधि के लिये काम किया है और काम समाप्त होने पर उसे स्वयं छोड़कर चला गया अतः श्रमिक की सेवा मुक्ति छंटनी नहीं है।

10. पक्षकारों द्वारा की गई बहस के सन्दर्भ में उनकी ओर से प्रस्तुत साक्ष्य का पूर्ण गहराई से अध्ययन व मनन करने के उपरान्त हम इस नतीजे पर पहुँचे हैं कि श्रमिक का शपथ कथन कि उसने 1-12-78 से 28-10-87 तक निरन्तर कार्य किया और स्वयं अप्रार्थी के अनुसार भी 28-10-87 तक श्रमिक का कार्यरत होना स्वीकार किया गया है और फिर स्वयं नियोजक साक्षी श्री बलदेवसिंह के अनुसार इन्हीं कार्यों के लिये नियमित कर्मचारी भी अप्रार्थी संस्थान में लगे हुए हैं जो यह श्रमिक काम करता था यानि अप्रार्थी संस्थान में होने वाला कार्य स्थाई प्रकृति का था न कि सोजनल। श्रमिक का नियुक्ति आदेश अथवा सेवा मुक्ति का आदेश जारी नहीं होना भी साक्षीगण ने बताया है ऐसी सूरत में हम विद्वान प्रतिनिधि श्रमिक के इस तर्क से पूर्णतया सहमत हैं कि श्रमिक की यह सेवा मुक्ति अधिनियम की धारा 2 (100) के किसी अपवाद में नहीं आने के कारण छंटनी ही है।

बिन्दु सं. 2

11. इस बारे में विद्वान प्रतिनिधि नियोजक की बहस थी कि श्रमिक निश्चित समय के लिये और सोजन में कार्य करने वाला श्रमिक था अतः इस मामले में अधिनियम की धारा 25-एफ एवं जी. के आज्ञापक प्रावधान लागू नहीं होते हैं और निम्न बिनिश्चय पेश किया।

1994 लेब आई.सी. 959 महाराष्ट्र स्टेट को-ऑपरेटिव व (उच्चतम न्यायालय) कोटन ग्रीवर्स मार्केटिंग फेडरेशन लि.

बनाम

महाराष्ट्र स्टेट कोटन को-ऑपरेटिव ग्रीवर्स मार्केटिंग फेडरेशन एम्प-लाईज यूनियन आदि।

1914 लेब.आई.सी. 959। महाराष्ट्र स्टेट को-ऑपरेटिव कोटन ग्रेवर्स मार्केटिंग फेडरेशन लि.

उच्चतम न्यायालय

बनाम

महाराष्ट्र स्टेट को-ऑपरेटिव कोटन ग्रेवर्स मार्केटिंग फेडरेशन एम्पलाईज यूनियन आदि

11. इसके विपरीत विद्वान प्रतिनिधि श्रमिक की बहुसंख्यी कि उक्त विनिश्चय के तथ्य भिन्न होने से इस मामले के तथ्यों पर चर्चा नहीं होता है, अप्रार्थी नियोजक द्वारा श्रमिक को निश्चित अवधि के लिये सीजन विशेष के लिये नियुक्त किया जाना प्रमाणित नहीं किया गया है और स्वयं नियोजक साक्षी के अनुसार श्रमिक द्वारा किये जाने वाले कार्य के लिये नियमित कर्मचारी रखे हुए हैं जिससे भी यह नहीं कहा जा सकता कि अप्रार्थी संस्थान में श्रमिक द्वारा किये जाने वाले कार्य सीजनल हो अपितु उसके द्वारा किए जाने वाले कार्य को कार्य स्थाई प्रकृति के थे अतः अधिनियम के इन आज्ञापक प्रावधानों की पालना श्रमिक की सेवा मुक्ति से पूर्व की जानी अनिवार्य थी, जो स्वीकार्यतः नहीं की गई है।

12. विद्वान प्रतिनिधि नियोजक द्वारा प्रस्तुत उक्त विनिश्चय 1994 लेब. आई.सी. 959 काटन ग्रेवर्स की सेवा समाप्ति का विवाद था और माननीय उच्चतम न्यायालय द्वारा उन श्रमिकों द्वारा किया जाने वाला कार्य सीजनल माना गया है। परन्तु हमारे समक्ष प्रस्तुत इस प्रकरण में तो स्वयं नियोजक साक्षी के अनुसार श्रमिक द्वारा किये जाने वाले जैसे कार्यों के लिये अप्रार्थी संस्थान में नियमित कर्मचारी रखे हुए हैं जिससे यह नहीं कहा जा सकता कि श्रमिक को सीजनल कार्यों के लिये ही रखा गया था और फिर अप्रार्थी नियोजक द्वारा अपनी विश्वसनीय साक्ष्य से यह भी प्रमाणित नहीं किया गया है कि श्रमिक को निश्चित अवधि के लिये नियुक्त किया गया हो और वह निश्चित अवधि समाप्त होने पर श्रमिक की सेवा समाप्त हुई है। ऐसी सूरत में श्रमिक की सेवा मुक्ति जो छंटनी मानी गई है, से पूर्व अधिनियम के उक्त इन आज्ञापक प्रावधानों की पालना की जानी अनिवार्य थी। जिसके बारे में श्रमिक का सशपथ कथन भी है कि सेवा मुक्ति का नोटिस या वेतन व मुआवजा नहीं दिया; वरिष्ठता सूची प्रकाशित नहीं की और उससे जूनियर कर्मचारियों को नहीं हटाया तथा अनेक नये कर्मचारी रखे गये। इस बारे में अप्रार्थी की ओर से साक्ष्य भी नहीं है। परिणामतः श्रमिक की सेवा मुक्ति अधिनियम की धारा 25-एफ एवं जी के आज्ञापक प्रावधानों की पालना किये बिना होना प्रमाणित है।
बिन्दु सं. 3

13. अधिनियम की धारा 25-एफ के आज्ञापक प्रावधानों की पालना किये बिना श्रमिक को सेवा से मुक्त करना न केवल अनुचित एवं विधि विरुद्ध छंटनी है अपितु ऐसा छंटनी निरस्तनीय है और यह श्रमिक अप्रार्थी के नियोजन में सेवा मुक्ति दिनांक 11-1-86 से पुनः सेवा की निरन्तरता के लाभ सहित बहाल होने का अधिकारी है। सेवा मुक्ति दिनांक 11-1-86 से देय पिछले वेतन दिलाने की मांग को स्वयं विद्वान प्रतिनिधि श्रमिक ने भी प्रेस नहीं किया है ऐसी

सूरत में हम इस श्रमिक को सेवा मुक्ति अवधि में देय पिछला वेतन दिलाना उचित नहीं समझते हैं परन्तु आज निर्णय दिनांक से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन वह पाने का अधिकारी है।

14. उपरोक्त समस्त विवेचन के आधार पर केन्द्रीय सरकार द्वारा प्रेषित इस रेफरेन्स के सन्दर्भ में निम्न प्रकार अधिनिर्णय पारित किया जाता है :-

निदेशक, केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़ द्वारा श्री भोलाराम पुत्र श्री जमुना हरिजन को सेवा से हटाने का कृत्य न्यायोचित नहीं था। परिणामतः वह अप्रार्थी के नियोजन में पुनः पूर्ववत पद व वेतन पर सेवा मुक्ति दिनांक 11-1-86 से सेवा की निरन्तरता के लाभ सहित पुनः बहाल होने का अधिकारी है और आज निर्णय दिनांक 25-10-96 से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन प्राप्त करने का अधिकारी है, परन्तु वह सेवा मुक्ति दिनांक 11-1-86 से आज निर्णय दिनांक के बीच की अवधि में देय पिछला वेतन प्राप्त करने का अधिकारी नहीं है।

उक्त अधिनिर्णय अधिनियम की धारा 17(1) के अन्तर्गत केन्द्रीय सरकार को प्रकाशनार्थ पठाया जावे।

(तेगपाल सिहाग)

ह./-

न्यायाधीश

औद्योगिक विवाद अधिकरण
बीकानेर

15. आज्ञा आज दिनांक 25-10-96 को सरे हजलास लिखाई व सुनाई जाकर हस्ताक्षरित की गई।

तेगपाल सिहाग, न्यायाधीश

औद्योगिक विवाद अधिकरण
बीकानेर

नई दिल्ली, 31 दिसम्बर, 1996

का०आ०173. :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़ के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, बीकानेर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-12-96 को प्राप्त हुआ था।

[एल-42012/126/93-आईआर(डीयू)]

के०बी०बी० उष्णी, डेस्क अधिकारी

New Delhi, the 31st December, 1996

S.O. 173.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bikaner as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central Coffee Breeding Farm and their workman, which was received by the Central Government on 27th December, 1996.

[No. L-42012/181/93-IR(DU)]

K. V. B. UNNY, Desk Officer

अनुबंध

केन्द्रीय औद्योगिक न्यायाधिकरण, बीकानेर

सी.आई.पी. रिकॉर्ड्स. 4/1994

श्री भोला पुत्र श्री जमुना, जाति हरिजन, पद—चौकीदार द्वारा श्री भारतभूषण आर्य महामंत्री, बीकानेर डिविजन ट्रेड यूनियन काउन्सिल, खजांची बिल्डिंग, बीकानेर

—प्रार्थी/श्रमिक/यूनियन

बनाम

निदेशक, केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़

अप्रार्थी/नियोजक

रेफरेंस अन्तर्गत धारा 10(1)(घ), औद्योग. वि.

अधिनियम, 1947

न्यायाधीश—श्री तेगपाल सिहाग, आर.एच.जे.एस. उपस्थिति :—

1. श्री भारतभूषण आर्य, श्रमिक प्रतिनिधि
 2. श्री यु.सी. गुप्ता, नियोजक प्रतिनिधि
- अधिनिर्णय

दिनांक 25 अक्टूबर, 1996

भारत सरकार, नई दिल्ली ने औद्योगिक विवाद अधिनियम, 1947 जिसे अब के पश्चात् सिर्फ "अधिनियम" कहा गया है, की धारा 10 की उपधारा (1) के खण्ड (घ) के अधीन जारी आदेश क्रमांक 42012/181/93-आई.आर. (बी.यू.) दिनांक 16-11-94 द्वारा प्रेषित इस रेफरेंस के अन्तर्गत निम्न विवाद अधिनियमितार्थ इस न्यायाधिकरण पढ़ाया था :—

"क्या निदेशक, केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़ द्वारा श्री भोलाराम पुत्र श्री जमुना हरिजन को उसके पद चौकीदार से हटाने का कृत्य न्यायोचित है ? यदि नहीं तो कामगार किस मद्द के लिये हकदार है ?

2. प्रार्थी भोला जिसे अब के पश्चात् सिर्फ "श्रमिक" कहा गया है की ओर से यूनियन द्वारा प्रस्तुत क्लेम विवरण के अनुसार संक्षिप्त तथ्य इस प्रकार है कि यह श्रमिक अप्रार्थी संस्थान में चौकीदार के पद पर 1-4-80 को नियुक्त हुआ था तथा वह एक पुराना व स्थाई कर्मचारी था, उसने अपना सेवा काल एक वर्ष व 240 दिनों से अधिक व निरन्तर सेवा काल पूरा कर लिया था और वह एक औद्योगिक कामगार था तथा इस संस्थान पर औद्योगिक विवाद अधिनियम लागू है तदनुसार वह धारा 25-ए, बी, एफ. जी तथा एच के समस्त

प्रावधानों के अन्तर्गत लाभ पाने का हकदार है, अप्रार्थी ने अपने तत्कालीन कृषि अधिकारी के माध्यम से उसे दिनांक 11-1-86 को काम पर नहीं लिया तथा सेवा मुक्ते कर दिया, इस सेवा मुक्ति को अवैध छंटनी बताते हुए कहा है कि सेवामुक्त करने के पूर्व कोई कारण नहीं बताया, नोटिस अथवा नोटिस के बदले में वेतन नहीं दिया और न छंटनी का मुआवजा दिया, वरिष्ठता सूची का प्रकाशन नहीं किया गया और "पीछे आगे पहले जावे" के मान्य सिद्धान्त की पालना की गई जिसके कारण यह छंटनी नितान्त अवैध है और आवश्यकता पड़ने पर उसे काम पर नहीं बुलाने से भी उक्त सेवा मुक्ति अवैध है। अंत में श्रमिक को सेवा मुक्ति आदेश निरस्त कर सेवेतन काम पर लिये जाने की प्रार्थना की गई है।

3. अप्रार्थी नियोजक द्वारा प्रस्तुत जवाब में प्रारंभिक आपत्तियों में कहा है कि क्लेम प्रार्थी स्वयं ने पेश नहीं किया है, सारी कार्यवाही भारतभूषण आर्य ने उसकी तरफ से की है जो न्यायसंगत व उचित नहीं है जिसके हक में कोई अधिकांश पक्ष भी उसने निष्पादित नहीं किया है और इसके अलावा ऐसा कोई सबूत भी पेश नहीं किया है कि यह श्रमिक उसकी किसी यूनियन का सदस्य है, बीकानेर ट्रेड यूनियन काउन्सिल कोई मान्यता प्राप्त ट्रेड यूनियन नहीं है न अप्रार्थी ने इसे मान्यता दी है इस प्रकार अप्रार्थी नियोजक के अनुसार कोई विवाद ही नहीं है। इस लिये इस संबंध में जो भी कार्यवाही हुई है वह गलत है, अप्रार्थी संस्थान "उद्योग" की परिभाषा में नहीं आता और इस पर अधिनियम से प्रावधान लागू नहीं है।

4. मद्दवार उत्तर प्रस्तुत करते हुए अप्रार्थी नियोजक ने मुख्यतया बताया है कि श्रमिक अप्रार्थी नियोजक के अन्तर्गत कार्यरत कर्मचारी नहीं है, उसे दैनिक वेतन भोगी श्रमिक के रूप में निश्चित अवधि के लिये निश्चित कार्य के लिये सीजन पर लगाना व आवश्यकता पड़ने पर कभी-कभी काम पर आना बताते हुए यह भी कहा है कि कृषि मजदूरों को केवल मात्र सीजन पर ही विशेष कार्य के लिये व विशेष प्रयोजन के लिये एक निश्चित अवधि के लिये काम पर रखा जाता है, नियमित मजदूर इतने नहीं हैं कि बिजारी के समय पूरा कार्य कर सकें इसलिये बिजारी के समय अधिक मजदूर कुछ समय के लिये लगाने पड़ते हैं, भोला ने नवम्बर 1987 तक फार्म पर कार्य निश्चित अवधि के लिये किया। दिनांक 13-1-86 से काम पर लेना बन्द कर देने की गलत बताते हुए अन्य सभी तथ्यों को अस्वीकार किया गया है और कहा है कि वह स्वयं ही काम छोड़कर अन्य स्थान पर काम करने चला गया, भारत सरकार कृषि मंत्रालय ने नये आकस्मिक दैनिक वेतन भोगी श्रमिक की भर्ती बन्द कर दी है, श्रमिक का अन्य स्थान पर कार्य करने चला जाना बताते हुए लम्बे अर्से के बाद 6-7-93 को श्रम प्रवर्तन अधिकारी के समक्ष आवेदन पेश करने के कारण प्रार्थना-पक्ष खारिज किये जाने की भी प्रार्थना की है।

4. साक्ष्य में श्रमिक भोला ने अपना शपथपत्र पेश किया जिससे नियोजक द्वारा जिरह की गई जिसके विपरीत नियोजक की ओर से बलदेव सिंह ने अपना शपथपत्र पेश किया जिससे श्रमिक द्वारा जिरह की गई है। दस्तावेजात पेश हुए।

5. बहस सुनी गई एवं पत्रावली का अवलोकन किया गया ;

6. निर्णय हेतु देखना है कि

(1) आया श्रमिक की सेवा मुक्ति छंटनी है ?

(2) आया अधिनियम की धारा 25-एफ एवं जी. के आज्ञापक प्रावधानों की पालना तथा कथित छंटनी के पूर्व की जानी अनिवार्य थी ? यदि हां तो क्या पालना की गई ?

(3) श्रमिक क्या राहत पाने का अधिकारी है ?

बिन्दु सं. 1

7. क्लेम के अनुसार ही श्रमिक ने अपने शपथपत्र में भी अप्रार्थी के अन्तर्गत चौकीदारी के पद पर दिनांक 1-4-80 को नियुक्ति होना व 11-1-86 को बिना कारण बताये व नोटिस दिये सेवा मुक्त करना व नियुक्ति पत्र नहीं देना बताया है, श्रमिक का यह भी शपथपूर्वक कथन है कि उसने हटाते वक़्त काम पर लेने व हाजरी लगाने का प्रार्थनापत्र प्रदर्श डब्ल्यू 1, 3, 5, 7 लगायत 10 जरिये यूपीसी/रजिस्टर्ड डाक से भेजना व रजिस्टरी प्रदर्श-11 व यूनियन द्वारा पत्र प्रदर्श 12 व 13 भेजना तथा समझौता वार्ता में नियोजक का उत्तर प्रदर्श डब्ल्यू 14 होना कहा है। जिरह में भी कहता है कि मैं चौकीदारी करता था, मैंने छः साल काम किया, मुझे बलदेव सिंह ने हटाया था, हटाने के तीन चार महीने बाद मैं गया और दरखास्त बलदेव सिंह को दी, उसके बाद कोई दरखास्त नहीं दी और मैं यूनियन वालों के पास गया। इसके विपरीत नियोजक साक्षी बलदेव सिंह ने अपना शपथपत्र दिया है जिससे अपने शपथपत्र में अंकित किया है कि श्रमिक ने कुछ अर्से तक के लिये समय-2 पर 11-1-86 तक काम किया था उसके बाद वह स्वेच्छा से काम छोड़कर चला गया और कभी भी काम करने की इच्छा जाहिर नहीं की तथा पत्राचार को बनाबटी बताया है। नियोजक का यह साक्षी जिरह में स्वीकार करता है कि श्रमिक की नियुक्ति विशेष सोजन, अवधि के लिये की थी, अलग से आदेश या नियुक्ति पत्र नहीं दिया था, दैनिक वेतन भोगी कर्मचारियों को काम करने के बारे में आदेश अलग से जारी नहीं किये जाते हैं, इनसे फसल काटना, पानी लगाना, खाले बनाना, चारे के बीज का उत्पादन करना व उनका काटना, उपरोक्त काम के लिये हमारी संस्था में नियमित कर्मचारी भी रखे हुए हैं लेकिन काम को समय पर पूरा करने व जल्दी निपटाने के लिये दैनिक वेतन भोगी कर्मचारीगण रखे जाते हैं, आज मौखिक याद नहीं कि इस श्रमिक को किम अवधि

के लिये रखा गया। यह सही है कि श्रमिक के अनुपस्थित होने पर उसे अनुपस्थिति बाबत नोटिस की कार्यवाही नहीं की ना ही नोटिस अनुपस्थिति बाबत दिया।

8. उपरोक्त साक्ष्य के आधार पर विद्वान प्रतिनिधि श्रमिक की बहस है कि श्रमिक को दिनांक 11-1-86 से काम पर नहीं लेना और मौखिक आदेश से सेवा मुक्त करना छंटनी है इसके विपरीत विद्वान प्रतिनिधि नियोजक की ओर से बहस थी कि श्रमिक ने सौजन्य कार्य पर निश्चित अवधि के लिये काम किया है और काम समाप्त होने पर उसे स्वयं छोड़कर चला गया अतः श्रमिक की यह सेवा मुक्ति छंटनी नहीं है।

9. पक्षकारों द्वारा की गई बहस के संदर्भ में उनकी ओर से प्रस्तुत साक्ष्य का पूर्ण गहराई से अध्ययन व मनन करने के उपरान्त हम इस नतीजे पर पहुंचे हैं कि श्रमिक का शपथपत्र कथन कि उसे 1-4-80 से नियुक्त और 11-1-86 को बिना कारण बताये सेवा मुक्त कर दिया और फिर स्वयं नियोजक साक्षी श्री बलदेव सिंह के अनुसार इन्हीं कार्यों के लिये नियमित कर्मचारी भी अप्रार्थी संस्थान में लगे हुए हैं जो यह श्रमिक करता था यानि अप्रार्थी संस्थान में होने वाला कार्य स्याई प्रकृति का था न कि सौजन्य। श्रमिक का नियुक्ति आदेश अथवा सेवा मुक्ति आदेश जारी नहीं होना भी साक्षीगण ने बताया है ऐसी सूरत में हम विद्वान प्रतिनिधि श्रमिक के इस तर्क से पूर्णतया सहमत हैं कि श्रमिक की यह सेवा मुक्ति अधिनियम की धारा 2(00) के किसी अपवाद में नहीं आने के कारण छंटनी ही है।

बिन्दु सं. 2

10. इसके बारे में विद्वान प्रतिनिधि नियोजक की बहस थी कि श्रमिक निश्चित समय के लिये और सौजन्य में कार्य करने वाला श्रमिक था अतः इस मामले में अधिनियम की धारा 25-एफ. जी. एवं एच के आज्ञापक प्रावधान लागू नहीं होते हैं और निम्न विनिश्चय पेश किया :

1994 लेब०आई०सी० 959 : (उच्चतम न्यायालय) महाराष्ट्र स्टेट को०-प्रॉपर्टिज कोटन ओवर्स मार्केटिंग फेडरेशन नि०

वतान

महाराष्ट्र स्टेट को०-प्रॉपर्टिज कोटन ओवर्स मार्केटिंग फेडरेशन एम्पलाईज यूनियन आदि

11. इसके विपरीत विद्वान प्रतिनिधि श्रमिक की बहस थी कि उक्त विनिश्चय के तथ्य भिन्न होने से इस मामले के तथ्यों पर चर्चा नहीं होता है, अप्रार्थी नियोजन द्वारा श्रमिक को निश्चित अवधि के लिये सौजन्य विशेष के लिये नियुक्त किया जाना प्रमाणित नहीं किया गया है और स्वयं नियोजक साक्षी के अनुसार श्रमिक द्वारा किये जाने वाले कार्य के लिये नियमित कर्मचारी रखे हुए हैं जिससे भी यह नहीं कहा जा सकता है कि अप्रार्थी संस्थान में श्रमिक द्वारा

किये जाने वाले कार्य सीजनल थे, अपितु उसके द्वारा किये जाने वाले ये कार्य स्थाई प्रकृति के थे अतः अधिनियम के ये आशामक प्रावधानों की पालना श्रमिक की सेवा मुक्ति के पूर्व की जानी अनिवार्य थी स्वीकार्यतः नहीं की गई है।

12. विद्वान प्रतिनिधि नियोजक द्वारा प्रस्तुत उक्त विनिश्चय 1994 लैब.आई.सी. 959 कोटन प्रोवर्स की सेवा समाप्ति का विवाद था और माननीय उच्चतम न्यायालय द्वारा उन श्रमिकों द्वारा किया जाने वाला कार्य सीजनल माना गया है। परन्तु हमारे समक्ष प्रस्तुत इस प्रकरण में तो स्वयं नियोजक साक्षी के अनुसार श्रमिक द्वारा किये जाने वाले जैसे कार्यों के किये अप्रार्थी संस्थान में नियमित कर्मचारी रखे हुए हैं जिससे यह नहीं कहा जा सकता कि श्रमिक को सीजनल कार्यों के ही लिये रखा गया था। और फिर अप्रार्थी नियोजक द्वारा अपनी विश्वसनीय साक्ष्य से यह भी प्रमाणित नहीं किया गया है कि श्रमिक को निश्चित अवधि के लिये नियुक्त किया गया हो और वह निश्चित अवधि समाप्त होने पर श्रमिक को सेवा समाप्त हुई है। ऐसी सूरत में श्रमिक की सेवा मुक्ति जो छंटनी मानी गई है, से पूर्व अधिनियम के इन आवश्यक प्रावधानों की पालना की जानी अनिवार्य थी। जिसके बारे में श्रमिक का कथन भी है कि सेवा मुक्ति का नोटिस या वेतन व मुआवजा नहीं दिया। वरिष्ठता सूची प्रकाशित नहीं की और उससे जूनियर कर्मचारियों को नहीं हटाया तथा अनेक नये कर्मचारी रखे गये। इस बारे में अप्रार्थी को ओर से साक्ष्य भी नहीं है। परिणामतः श्रमिक की सेवामुक्ति अधिनियम की धारा 25-एफ एवं जी के आशामक प्रावधानों की पालना किये बिना होना प्रमाणित है।

विन्दु सं० 3

13. अधिनियम की धारा 25-एफ के आशामक प्रावधानों की पालना किये बिना श्रमिक को सेवा से मुक्त करना न केवल अनुचित एवं विधि विरुद्ध छंटनी है अपितु ऐसी छंटनी निरस्तनीय है और यह श्रमिक अप्रार्थी के नियोजन में सेवा मुक्ति दिनांक 11-1-86 से पुनः सेवा की निरन्तरता के लाभ सहित बहाल होने का अधिकारी है। सेवा मुक्ति दिनांक 11-1-86 से देय पिछले वेतन दिलाने की मांग को स्वयं विद्वान प्रतिनिधि श्रमिक ने भी प्रैस नहीं किया ऐसी सूरत में हम इस श्रमिक को सेवा मुक्ति अवधि में देय पिछला वेतन दिनांक उचित नहीं समझते हैं परन्तु आज निर्णय दिनांक से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन वह पाने का अधिकारी है।

14. उपरोक्त समस्त विवेचन के आधार पर केन्द्रीय सरकार द्वारा प्रेषित रैफरेन्स के संदर्भ में निम्न प्रकार अधिनियम पारित किया जाता है:—

निदेशक, केन्द्रीय पशु प्रजनन केन्द्र सूरतगढ़ द्वारा श्री भोलाराम पुत्र श्री जमुना हरीजन को सेवा से हटाने का कृत्य न्यायोचित नहीं था। परिणामतः वह अप्रार्थी के नियोजन में पुनः पूर्ववत पद व वेतन पर सेवा मुक्ति दिनांक 11-1-86 से सेवा की निरन्तरता के लाभ सहित पुनः

बहाल होने का अधिकारी है और आज निर्णय दिनांक 25-10-96 से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन प्राप्त करने का अधिकारी है परन्तु वह सेवा मुक्ति दिनांक 11-1-86 से आज निर्णय दिनांक के बीच की अवधि में देय वेतन प्राप्त करने का अधिकारी नहीं है।

उक्त अधिनियम अधिनियम की धारा 17(1) के अन्तर्गत केन्द्रीय सरकार को प्रकाशनार्थ भिजवाया जाये।

15. आज्ञा आज दिनांक 25-10-96 को सारे इण्डियाम लिखाई व मुनाई जाकर हस्ताक्षरित की गई।

तेजपाल सिहाग, न्यायाधीश

नई दिल्ली, 31 दिसम्बर, 1996

का.आ. 174:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़ के प्रबन्धकों के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, बीकानेर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-12-96 को प्राप्त हुआ था।

[एल-42011/26/93-आईआर(डीयू)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 31st December, 1996

S.O. 174.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bikaner as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central Coffee Breeding Farm and their workman, which was received by the Central Government on 27th December, 1996.

[No. L-42011/26/93-IR(DU)]

K. V. B. UNNY, Desk Officer

अनुबंध

केन्द्रीय औद्योगिक न्यायाधिकरण, बीकानेर:

नं. म. सी. आई. टी. रैफरेन्स सं. 2 सन 1994

काशूराम आदि—5 श्रमिकगण द्वारा श्री भारतभूषण शर्मा महामंत्री, बीकानेर डिवीजन ट्रेड यूनियन काउन्सिल, खजंची विल्डिंग, बीकानेर

—अप्रार्थी/यूनियन

बनाम

निदेशक, केन्द्रीय पशु प्रजनन केन्द्र, सूरतगढ़

—अप्रार्थी/नियोजक

रैफरेन्स अन्तर्गत धारा 10 (1) (घ) औद्यो. वि. अधिनियम 1947

न्यायाधीश—श्री तेजपाल सिंहाम आर. पंच. जे. पस.
उपस्थिति :—

1. श्री भारतभूषण आर्य, यूनिवर्स प्रतिनिधि

2. श्री यू. पी. गुप्ता, नियोजक प्रतिनिधि

अधिनिर्णय

दिनांक, 25 दिसम्बर, 1996

श्रम मंत्रालय भारत सरकार नई दिल्ली ने अपने आदेश सं. एल/42011/26/93 ई. आर. (डी. यू.) दिनांक 24-8-94 द्वारा औद्योगिक विवाद अधिनियम 1947 जिसे अब के पश्चात् सिर्फ "अधिनियम" कहा गया है, की धारा 10 की उपधारा (1) के खण्ड (ख) के अन्वीन प्रेषित एस रैफरेन्स के अन्तर्गत निम्न विवाद अधि-निर्णयार्थ इस अधिकरण में पठाया था :—

"Whether the action of the management of Central Cattle Breeding Farm, Suratgarh in terminating the services of

- (1) Shri aloo Ram, S/o Shri Puran Ram,
- (2) Shri Pratap Ram, S/o Shri Puran Ram,
- (3) Smt. Rajkaur, W/o Shri Puran Ram,
- (4) Shri Dangar Singh, S/o Shri Bachan Singh,
- (5) Smt. Santi, W/o Shri Bachan Singh—is justified?

If not, what relief they are entitled to?"

2. यूनिवर्स की ओर से प्रस्तुत क्लेम विवरण के अनुसार श्रमिकगण सर्वश्री कालूराम पुत्र पूर्णराम प्रतापराम पुत्र पूर्णराम डूंगरसिंह पुत्र बजरसिंह, श्रीमती राजकौर पत्नी श्री पूर्णराम एवं श्रीमति संतोदेवी पत्नी श्री बजर सिंह अप्रार्थी के अर्जन 1-4-1983 को नियुक्त हुए थे और उनकी सेवाएँ एक वर्ष व 240 दिवस से अधिक हो गई थी, यूनिवर्स के अनुसार इन पाँचों कर्मचारियों के दिनांक 1-4-89 को बिना कोई कारण बताये काम पर नहीं लिया और जुबानी आदेश से सेवा मुक्त करने की छंटनी बताते हुए यह भी कहा है कि छंटनी से पूर्व कोई कारण नहीं बताया, नोटिस दिये वा नोटिस के बदले में एक माह का वेतन अथवा छंटनी मुआवजा नहीं दिया, वरिष्ठता सूची का भी प्रकाशन नहीं किया गया अतः अप्रार्थी द्वारा उनकी छंटनी करना अवैध था और सभी श्रमिकगण सेवा मुक्ति दिनांक 1-4-89 से पुनः नियोजक की सेवा में सभी वेतन लाभों सहित बहाल होने के अधिकारी हैं।

3. अप्रार्थी नियोजक की ओर से प्रस्तुत प्रत्युत्तर के अन्तर्गत उठाई गई प्रारम्भिक आपत्तियों में कहा है कि क्लेम प्रार्थीनिग वर्षों द्वारा पेश नहीं किया गया है, उनकी ओर से सारा कार्यवाही मात्र भा. भारतभूषण द्वारा करना न्यायसंगत व उचित नहीं है, श्री भारतभूषण के हक में कोई अधिनामत्र भी प्रार्थीनिग ने लिप्यावित नहीं किया है, न बीकानेर ट्रेड यूनियन काउन्सिल कोई मान्यता प्राप्त-ट्रेड यूनियन है अतः सरकार रैफरेन्स नहीं कर सकती इसलिए जो भी कार्यवाही हुई है वह गलत है तथा अप्रार्थी

संस्थान आयोग की परिभाषा में नहीं आता और अप्रार्थी संस्थान पर इस अधिनियम के प्रावधान लागू नहीं होते हैं।

4. श्रमिकों की ओर से उनकी यूनिवर्स द्वारा प्रस्तुत क्लेम विवरण का मद्भाग रखते हुए बतसा गया है कि श्रमिकों को निश्चित कार्य के लिये निश्चित अवधि के लिये दैनिक वेतन भोगी श्रमिक के रूप में जीवन पर लगवाया गया था और इनका कार्य जोब ओरेंट है। नियोजक के अनुसार श्रमिक प्रतापसिंह की मई 1984 में कुछ समय के लिये काम पर लगाया गया था जिसने वर्ष 1984 में 140 दिन और 1985 में कुछ असे काम दिया गया था जो काम छोड़कर चला गया क्योंकि उसकी आवश्यकता ही नहीं थी, श्रमिक राजकौर ने 1994 में 115 दिन, 1985 में 228 दिन, श्रमिक कालूराम ने 1985 में 18 दिन, 1986 में 172 दिन, 1987 में 203 दिन व संतो ने 1984 में 63 दिन, 1985 में कुछ दिन काम किया इसके अलावा श्रमिकगण ने कोई कार्य नहीं किया। 1-4-89 से काम से हटाने की गलत बताते हुए कहा है कि प्रताप सिंह, राजकौर तथा संतो 1985 के बाद काम पर कभी आये ही नहीं तथा डूंगरसिंह 1986 के के बाद व कालूराम सन् 1987 के बाद काम पर नहीं आया अन्य सभी तथ्यों को गलत बताते हुए कहा है कि उनके द्वारा 1985, 1986 व 1987 के बाद प्रथम बार असे प्रवर्तन अधिकारी एवं समझौता अधिकारी के सम्मूह 1992 में आवेदन किया गया है इसके अलावा कभी इस सम्बन्ध में सभम अधिकारी से कोई बात नहीं की और वे खत पर काम में लगे रहते हैं इसीलिये काम पर नहीं आये। अप्रार्थी का यह भी कहना है कि केन्द्रीय सरकार ने 1990 से दैनिक भोगी श्रमिक को लगाया जाना बन्द कर दिया है अतः श्रमिकगण कोई राहत पाने के अधिकारी नहीं है और उनका क्लेम खारिज किये जाने की प्रार्थना की गई है।

5. साक्ष्य श्रमिक में प्रार्थी यूनिवर्स की ओर से श्रमिकगण कालूराम, प्रतापराम, रामप्यारेलाल, संती देवी, राजकौर एवं डूंगरसिंह ने अपने-अपने शपथपत्र पेश किये जिन सभी से नियोजक द्वारा जिरह की गई है। इसके विपरीत अप्रार्थी नियोजक की ओर से श्री बलदेव सिंह ने अपना शपथपत्र पेश किया जिससे यूनिवर्स की ओर से जिरह की गई है। दस्तावेज पेश हुए।

6. बहम सुनी गई और पलावली का अवलोकन किया गया।

7. निर्णय हेतु देखा है कि :—

(1) प्राया श्रमिकों को अप्रार्थी द्वारा 1-4-89 से सेवा मुक्त करना छंटनी है ?

(2) प्राया अधिनियम की धारा 25-एफ एवं श्री. के औद्योगिक प्रावधानों को पालना तथाकथित छंटनी के पूर्व की जानी अनिवार्य थी ? यदि हाँ तो क्या पालना की गई ?

(3) श्रमिक क्या राशन पाने के अधिकारी है ?
बिन्दु सं. 1

8 यह रैफरेन्स पांच श्रमिकों सर्वश्री कालूराम पुत्र श्री पूर्णराम, प्रतापराम पुत्र श्री पूर्णराम, डूंगरसिंह पुत्र श्री बचन सिंह, राजकौर पत्नी श्री पूर्णराम एवं सन्तो देवी पत्नी श्री बचन सिंह की सेवा मुक्ति विवाद से सम्बन्धित है और प्रार्थी यूनियन की ओर से एक श्री क्लेम विवरण पेश कर श्रमिकों का अप्रार्थी संस्थान में 1-4-83 से कार्य-रत होना और 1-4-89 से बिना कोई कारण काम पर नहीं लेने अथवा जबादी आदेश से सेवा मुक्त करना बताया है और श्रमिकों की इस सेवा मुक्ति को अधिनियम की धारा 2(00) में छंटनी करना कहा गया है। यूनियन द्वारा प्रस्तुत इस क्लेम विवरण के समर्थन में श्रमिकगण कालूराम, प्रतापराम, सन्तोदेवी, राजकौर, डूंगरसिंह ने अपने-अपने शपथ-पत्र पेश किये हैं इसके अतिरिक्त रामप्यारेलाल ने भी अपना शपथपत्र श्रमिकों के समर्थन में पेश किया है। सभी श्रमिकों ने अपने-अपने शपथपत्रों में एक स्वर में अपनी नियुक्ति अप्रार्थी संस्थान में 1-4-83 को होना और 31-3-89 तक निरन्तर कार्य करना व दिनांक 1-4-89 को अकारण सेवा मुक्त करना कहा है और दस्तावेज प्रदर्श डब्ल्यू. 1 व 2 प्रदर्शकित कराया है। इन श्रमिकों का समर्थन करते हुए गवाह रामप्यारेलाल ने अपना शपथपत्र पेश किया है जिसमें उसने भी अंकित कराया है कि कर्मचारी स्वयं कभी भी अनुपस्थित नहीं रहा बल्कि नियोजक ने सेवा से पृथक किया, सेवा मुक्ति के बाद उसने नियोजक/अप्रार्थी से बातचीत की परन्तु नियोजक उसे वापस काम पर लेने को राजी नहीं हुआ। प्रार्थी/यूनियन का यह गवाह नियोजक द्वारा जिरह करने पर कहता है कि डायरेक्टर की ओर अम विभाग को पत्र लिखे थे परन्तु वह नहीं बता सकता है कि कब-कब लिखे थे उन पत्रों को प्रतियां अभी उसके पास नहीं है यूनियन आफिस में हो भी सकती है और नहीं भी।

9. प्रार्थी यूनियन द्वारा प्रस्तुत इस साक्ष्य के आधार पर विद्वान प्रतिनिधि श्रमिकों की ओर से बहस में बताया गया है कि दिनांक 1-4-89 से सेवा मुक्त करना छंटनी है। इसके विपरीत अप्रार्थी नियोजक की ओर से भी बलदेवसिंह कृषि सहायक केन्द्रीय पशु प्रजनन फार्म सूरतगढ़ ने शपथपत्र पेश कर स्पष्ट कथन किया है कि नियमित कर्मचारी इस कार्य को पूरा नहीं कर सकते इसलिये दैनिक वेतन श्रमिकों को निश्चित कार्य करने के बाद अधिक समय तक नियोजक में नहीं रख सकते और इसी तरह से अन्य कृषि मालिक कृषि कार्य के लिये कुछ समय के लिये मजदूर रखते हैं काम समाप्त होने पर यह श्रमिक स्वतः ही चले जाते हैं क्योंकि इनका जोब ओरिंटियेड है। इस साक्षी के अनुसार श्रमिक प्रतापसिंह 1985 में कुछ अर्से तक काम किया और उसके बाद स्वतः ही चला गया, राजकौर ने 1985 में कुछ अर्से तक काम किया बाद में काम न होमे के कारण स्वतः ही चली गई, कालूराम ने 1987 में 263 दिन काम किया, श्रीमती

रान्तो ने 1985 में कुछ दिन काम किया था, वे सारे कामगार काम समाप्त होने के बाद अपने-अपने घर चले गये थे यह सभी कृषि मजदूर हैं और कई स्थानों पर जहां भी काम मिले कृषि कार्य करते रहते हैं और काम समाप्त होने पर स्वतः ही चले जाते हैं, इनको न तो नियमित रूप से काम पर लेने के लिये आदेश जारी किया गया और न ही हटाने के लिये आदेश जारी किया गया वे स्वतः ही काम पर समाप्त होने के बाद काम न होने के कारण चले गये, ... उन्होंने 1989 तक कोई काम नहीं किया, प्रतापसिंह सन्तो ने 1985 के बाद और कालू ने 1987 के बाद कभी कोई कार्य इस फार्म पर नहीं किया, 1-4-89 से श्रमिकों को सेवा मुक्त करना गलत है। नियोजक का यह बलदेव सिंह ने जिरह में यह स्वीकार किया है कि "नियुक्ति विशेष अवधि के लिये व विशेष सीजन के लिये दी गई इसके लिये कोई आदेश जारी नहीं किये गये थे ... उसने कालूराम, राजकौर, प्रताप, शान्ति आदि को सीजनल काम के लिये रखा था जैसे पानी देना, फसल काटना, पानी के आधे तैयार करना आदि। अब वहां कि उपरोक्त काम के लिये हमारे फार्म में नियमित कर्मचारी भी रखे गये हैं लेकिन कार्य को जल्दी निपटाने के लिये दैनिक वेतन भोगी कर्मचारियों को रखा जाता है, आज जुबानी याद नहीं है कि किम श्रमिक को किस सीजन व किस अवधि के लिये रखा, श्रमिक स्वयं तो काम छोड़कर रजा था तब उसके विरुद्ध अनुपस्थिति के लिये रखा, श्रमिक स्वयं ही काम छोड़कर गया था तब उसके विरुद्ध अनुपस्थिति के बारे में कोई नोटिस की कार्यवाही नहीं की थी भारत सरकार के ना. 5-11-94 से आदेश से दैनिक वेतन भोगी मजदूरों को टेम्पेरी स्टेटस में ले लिया है ... यह कहना गलत है कि सभी श्रमिकों ने 240 दिन से ज्यादा लगातार हमारी संस्था में काम किया हो अब कहा कि श्रमिकों ने टुकड़ों में काम किये हैं। नियोजक द्वारा प्रस्तुत इसी साक्ष्य को आधार बताते हुए विद्वान प्रतिनिधि नियोजक की ओर से यह कहेंगे कि श्रमिकों ने सीजनल कार्य निश्चित अवधि के लिये किया है और काम समाप्त होने पर स्वयं छोड़कर चले गये अतः श्रमिकों को यह अनुपस्थिति सेवा मुक्ति छंटनी नहीं है और न 1-4-89 तक श्रमिकों का कार्य करना ही प्रमाणित है।

10. पक्षकारों द्वारा प्रस्तुत साक्ष्य का पूर्ण गहराई से अध्ययन व मनन करने के उपरान्त हम इस नतीजे पर पहुंचे हैं कि श्रमिक का शपथ कथन कि उन्होंने 1-4-83 से 1-4-89 तक अप्रार्थी संस्थान में निरन्तर कार्य किया जिसका खण्डन अप्रार्थी द्वारा किसी विश्वसनीय साक्ष्य से नहीं किया गया है और श्रमिकों के अनुरूप होने के कारण किसी विश्वसनीय साक्ष्य है जवाब में श्रमिकों का शपथ कथन जिसका समर्थन स्वतंत्र जवाब रामप्यारेलाल यादव ने अपने शपथपत्र में किया है को सही नहीं मानने

का कोई कारण नहीं है और फिर नियोजक साक्षी बलदेर सिंह ने श्रमिकों की अनुपस्थिति के बारे में नोटिस नहीं देना स्वीकार किया है ऐसे सूरत में हम विद्वान प्रतिनिधि श्रमिक के इस तर्क से पूर्णतया सहमत हैं कि श्रमिकों की सेवा मुक्ति अधिनियम की धारा 2(00) के किसी अपवाद में नहीं आने के कारण छंटनी है क्योंकि अप्रार्थी नियोजक श्रमिकों को किसी स्वयं नियोजक साक्षी के अनुसार इसी कार्य के लिये नियमित कर्मचारी भी फार्म पर रखे हुये हैं जो ये श्रमिकगण करते थे यानि फार्म पर स्थाई प्रकृति का कार्य है।

बिन्दू सं. 2

11. इसके बारे में हम विद्वान प्रतिनिधि नियोजक के इस तर्क से बिल्कुल भी सहमत नहीं है कि इस प्रकरण में अधिनियम की धारा 25-एफ आदि के आज्ञापक प्रावधानों की पालना करना अनिवार्य नहीं थी और ये प्रावधान लागू नहीं होते हों। श्रमिकों की सेवामुक्ति जब छंटनी है और निश्चित रूप से सभी श्रमिक अप्रार्थी के यहां वर्ष-दर-वर्ष काम करने वाले दैनिक वेतनभोगी श्रमिक थे तो उनकी सेवा समाप्ति के पूर्व अधिनियम की धारा 25-एफ की पालना में उन्हें एक माह का नोटिस अथवा नोटिस वेतन एवं छंटनी मुआवजा दिया जाना अनिवार्य था और अधिनियम की धारा 25-जी व नियम-77 की पालना में वरिष्ठता सूची का प्रकाशन किया जाना अनिवार्य था। सभी श्रमिकों का सशपथ कथन है कि उन्हें तथ्यांकित छंटनी के पूर्व कोई भी कारण नहीं बताया, न कोई नोटिस दिया और बदले में वेतन नहीं दिया तथा छंटनी मुआवजा नहीं दिया और वरिष्ठता सूची का प्रकाशन नहीं किया इसके विपरीत अप्रार्थी की ओर से कोई साक्ष्य नहीं है। परिणामतः अधिनियम के इन आज्ञापक प्रावधानों की पालना किये बिना श्रमिकों को यह सेवा मुक्ति अनुचित एवं विधि विरुद्ध होने से निरस्तनीय है।

बिन्दू सं. 3

12. अधिनियम की धारा 25-एफ एवं जी के आज्ञापक प्रावधानों की पालना किये बिना श्रमिकों की सेवा मुक्ति करना न केवल अनुचित एवं विधि विरुद्ध छंटनी है अपितु निरस्तनीय है और सभी श्रमिकगण अप्रार्थी के नियोजन में सेवा मुक्ति दिनांक से ही पुनः सेवा की निरन्तरता के लाभ सहित बहाल होने के अधिकारी हैं। केस को सभी परिस्थितियों को देखते हुए सेवा मुक्ति दिनांक 10-4-89 से आज निर्णय दिनांक के बीच की अवधि में देय पिछला वेतन दिलाना उचित नहीं है और स्वयं विद्वान प्रतिनिधि श्रमिक ने इसे प्रेस नहीं करते हैं। ऐसी सूरत में श्रमिकगण सेवा मुक्ति अवधि में देय पिछला बकाया वेतन पाने के अधिकारी नहीं हैं परन्तु आज निर्णय दिनांक से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन पाने के अधिकारी हैं।

13. उपरोक्त समस्त विवेचन के आधार पर केन्द्रीय सरकार द्वारा प्रेषित इस रैफरेन्स के सन्दर्भ में निम्न प्रकार अधिनिर्णय पारित किया जाता है:—

निवेशक केन्द्रीय पणु प्रजनन केंद्र, सूरतगढ़ द्वारा श्रमिकगण सर्वश्री कालूराम, प्रतापराम, राजकौर, डूंगरसिंह, शांति को दिनांक 1-4-89 से सेवा मुक्त करना उचित एवं वैध नहीं था परिणामतः सभी श्रमिकगण अप्रार्थी के नियोजन में सेवा मुक्ति दिनांक से सेवा की निरन्तरता के नाम सहित पुनः बहाल होने और आज दिनांक 25-10-96 से सेवा में पुनः बहाल होने के बीच की अवधि में देय नियमानुसार पूरा वेतन पाने के अधिकारी हैं परन्तु श्रमिकगण सेवा मुक्ति दिनांक 1-4-89 से दिनांक 25-10-96 के बीच की अवधि का देय बकाया पिछला वेतन पाने के अधिकारी नहीं हैं।

उक्त अधिनिर्णय केन्द्रीय सरकार को अधिनियम की धारा 17 (1) के अन्तर्गत प्रकाशनार्थ पठाया जावे।

14. आज दिनांक 25-10-96 को सरे इजाजत लिखाया व सुनाया आकर हस्ताक्षरित किया गया।

तेगपाल सिहाग,
न्यायाधीश

नई दिल्ली, 1 जनवरी, 1997

का.आ.175—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डेलीकोम विभाग, पट्टधाली (प्रां. प्रदेश) के प्रबंध-तंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में आरबिट्रर उप स्लम आयुक्त (के), बंगलूर के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-1-97 को प्राप्त हुआ था।

[सं.एल. 40013/1/96-आई आर (डीयू.)
के.बी.बी. उष्णी, डैस्क अधिकारी

New Delhi, the 1st January, 1997

S.O. 175.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Arbitrator—Dy. CLC(C) Bangalore as

shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecom Department, Peddapalli and their workman, which was received by the Central Government on 1st January, 1997.

[No. L-40013/1/96-IR(DU)]

K. V. B. UNNY, Desk Officer
ANNEXURE

ARBITRATION AWARD IN THE INDUSTRIAL DISPUTE BETWEEN THE SUB DIVISIONAL OFFICER, TELECOM, PEDDAPALLI AND ALL INDIA TELECOM EMPLOYEES' UNION KARIMNAGAR OVER ALLEGED ILLEGAL TERMINATION OF SERVICES OF SHRI MD.

ABDULLAH, EX-CASUAL LABOUR W.E.F. 1-6-87

PARTIES PRESENT :

For the Management :

Shri Lingaiah,
Sub-Divisional Officer,
Telecom,
Peddapalli

For the Workman :

(1) Shri A. Rajamouli,
Area Secretary,
AITEU Line Staff & Group "D",
6-1-14, Ashok Nagar,
Karimnagar-505 001.

(2) Shri Md. Abdullah,
Bozannapeta (Vill.),
Peddapalli (Mandal),
Karimnagar District.

The Government of India, Ministry of Labour vide Notification No. 40013/1/96-IR(DU) dated 13th August, 1996 (received in the Office of the Arbitrator on 26th August, 1996) referred the Industrial Dispute between the Sub-Divisional Officer, Telecom Peddapalli and All India Telecom Employees' Union, Line Staff & Group "D" regarding "alleged illegal termination of the services of Shri Md. Abdullah, ex-casual labour w.e.f. 1st June, 1987.

Hearing in the above case was held on 15th October, 1996, 3rd November, 1996, 15th November, 1996 and 19th December, 1996 and adjournments were granted at the request of the parties and due to postal strike etc. and consequently the Award could not be made within a period of three months. However, the parties have no objection for the Award being made after a period of 3 months and hence this Award.

The employer to the dispute was shown as Sub-Divisional Officer, Telecom, Karimnagar in the notification dated 13th August, 1996 issued by the Ministry of Labour, Government of India. During the hearing held on 19th December, 1996, parties concerned informed that the employer to the dispute is Sub-Divisional Officer, Telecom, Peddapalli and not Sub-Divisional Officer, Telecom, Karimnagar. Accordingly, the employer is shown as sub-Divisional Officer, Telecom, Peddapalli in this Award.

The issues involved in the dispute are as to whether the Sub-Divisional Officer, Telecom, Peddapalli has illegally terminated the services of Shri Md. Abdullah, ex-casual labour w.e.f. 1st June, 1987 and in case of illegal termination what relief can be given to Shri Md. Abdullah, ex-casual labour.

Shri Md Abdullah has worked as Casual Labour in S.D.O.(T) Peddapalli during the following period and has put in attendance as shown below :

16-09-85 to 31-12-85 102 days
01-01-86 to 31-12-86 357 days
01-01-87 to 31-05-87 146 days
01-06-86 to 31-05-87 360 days-

From the above information regarding the number of days worked by the employee, it can be seen that in case of illegal termination, the employee is entitled to reinstatement with

full back wages as he has put in more than 240 days of attendance during the period of one year prior to the date of alleged termination of his services based on number of Court judgements.

However, during the hearing held on 19th December, 1996, the employer stated that the services of Shri Md. Abdullah was never terminated by the P&T department and he himself left the services on his own. So being the case, there is no question of reinstatement or benefit of reinstatement with full back wages. The employee has not proved that his services were illegally terminated by Sub-Divisional Officer, Telecom. According to the employer, the management had not contravened the provisions of any law etc.

On behalf of the employee, the following arguments were put forth :

- (1) It is fact that after 31st May, 1987, Shri Md. Abdullah's father expired and even though he requested for two days leave, it seems it was not sanctioned. Shri Md. Abdullah, however left for his native place and after he came back within a period of one week, he approached Shri Muncer Basha, J.E. for job. The Officer concerned did not allow him to report for duty. Instead he asked him to come back after sometime. The employee approached him on more than one occasion. He also approached Sub-Divisional Officer, Telecom, Peddapalli several times, but he was not allowed to report for duty and was asked to come again and again.
- (2) Since during the crucial period of 85--87 many of the P&T Mazdoors were terminated because of the departmental instructions, the employee assumed that his services too were terminated and so he did not approach the management later.
- (3) In due course of time there were several cases before the Industrial Tribunal, Central Administrative Tribunal which ordered for reinstatement of workers (Kindly see Ann "A"). Based on this judgement, the P&T department absorbed those employees which included Shri Kishan and Shri Kondatah who were juniors to the employee.
- (4) When the employee became aware of these developments later, he approached the Union Secretary for help and hence and Industrial Dispute was raised and in the said Industrial Dispute, the employer agreed for arbitration of the case.
- (5) It was further pleaded that as Shri Md. Abdullah had worked for more than 240 days during the period of 12 months prior to 1st June, 1987, he should be reinstated with full back wages.

During the hearing held on 19th December, 1996, the employee stated all facts of his case on oath.

From the arguments advanced by both the parties, the statement given by the employee and Court cases cited (Ann "A"), the following facts emerge :

- (1) It is fact that Shri Md. Abdullah worked as casual labour from 16th September, 1985 to 31st May, 1987 and he has put in more than 240 days of attendance during the period of one year prior to alleged date of termination on 1st June, 1987.
- (2) While the argument of the management is that he left the services on his own, the employee say that due to his father's death after few days to left for his native place and came back. But the management did not allow him to report for duty and for various reasons he concluded that his services were also terminated like many of his other colleagues who worked in the department during the period 1985--87.
- (3) It is fact that the employee did not seek any remedy from the Court and he raised an Industrial Dispute at a very delayed date. The argument for the delay

appears to be that he is ignorant of his rights and he lives in a place which is not connected with proper transport and communication facilities.

It is however, to be noted that no time limit for raising an Industrial Dispute has been prescribed under the Industrial Disputes Act, 1947.

- (4) The employee did not satisfactorily prove that his services were terminated but he furnished convincing reasons for assuming that his services too were terminated by the department since his case was that of one of the employees of 1985-87 during which period, the P&T department terminated the services of several casual mazdoors but reinstated all the employees who approached Industrial Tribunal/Central Administrative Tribunal and later Arbitrators including the undersigned. I therefore, consider that Shri Md. Abdullah should be given some relief.

After going through the various judgements, wherein the workers had won the case and were reinstated in many cases as furnished by the Union Secretary, the Court did not order for payment of back wages even though reinstatement was

ordered. Hence Shri Md. Abdullah too will not be entitled for any back wages.

Keeping the above facts and circumstances in view, I give my "AWARD" as below :

- (1) Shri Md. Abdullah should be given employment as Mazdoor within 30 days from the date of commencement of this Award and he should be absorbed as a regular employee as per existing departmental instructions.
- (2) Shri Md. Abdullah will however not be entitled to any back wages.
- (3) Shri Md. Abdullah will however be entitled to back wages w.e.f. the 31st day of the commencement of this Award and till such time he is engaged as mazdoor.

Dated this 26th December, 1996.

K. RAMAKRISHNA, Dy. Chief Labour Commissioner
(Central) Bangalore and Arbitrator

ANNEXURE "A"

CAT CASES, HYDERABAD

S. No.	Name of the Mazdoor	Case No.	Date of Judgement	Date of entry into the Department	Present Working
1.	K. Kondaiiah	O A 731/90	16-12-1992	01-01-1986	Under SDOT, Karimnagar
2.	A. Kishan	O A 791/92	02-11-1992	01-06-1986	Under SDOT, Karimnagar
3.	B. Mallaiiah (SC)	O A 698/92	13-10-1992	01-06-1986	TDM Office, Karimnagar Got R. M. in 10 yrs scheme.

INDUSTRIAL TRIBUNAL CASES, HYDERABAD

1.	P. Lakshminarayana	12 of 1994	16-03-1995	01-04-1995	SDT, Karimnagar
2.	P. Murali	40 of 1990	18-11-1993	01-01-1994	TDM office, Karimnagar
3.	G. Chandramouli	44 of 1990	01-06-1994	01-07-1994	TDM office Karimnagar
4.	N. Yellaiah	42 of 1990	03-02-1993	01-01-1994	Telephone exchange, Hazarabad

नई दिल्ली, 3 जनवरी, 1997

का.आ. 176--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राजघाट बंद निर्माण खंड S, राजघाट के प्रबंधन के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[सं. एन. 42012/106/91-आई आर डी-2(बी)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 3rd January, 1997

S.O. 176.--In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Rajghat Bandh Nirman Khand 8, Rajghat and their workman, which was received by the Central Government on 2-1-97.

[No. L-42012/106/91-IR.D2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 65 of 1992

In the matter of dispute between :
Mantri,

Rajghat Bandh Pariyojana Karamchari Union.
Rajghat.

Distt. Lalitpur (U.P.).

AND

Adhishashi Abhiyanta,
Rajghat Bandh Nirman Khand-8,
Rajghat.

Distt.-Lalitpur (U.P.).

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. 1-42012/106/91-D-2(B) dt. 31-3-92, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of construction Division No. 8 of Rajghat Dam Distt. Lalitpur, in terminating the services of Sh. Munnu Singh Yadav, S/o. Sh. Ram Prasad Yadav, Ex-daily rated. Workman w.e.f. 24-1-87 is justified? If not, what relief he is entitled to?

2. The concerned workman Munnu Singh Yadav in his claim statement has alleged that he was engaged in the 8th Division of the opposite party Betwa River Board at Rajghat Bandh Pariyojna Lalitpur on 29-11-80 as daily rated worker. He continued to work there upto 87. From 5-1-87 to 26-2-87, he remained on medical leave. When he went to join he was informed that his services have been retrenched w.e.f. 24-1-87. In the last year before his retrenchment he had completed 244 days. As at the time of retrenchment he was not paid retrenchment compensation and notice pay his retrenchment is bad. Further no show cause notice was given.

3. The opposite party has filed reply in which it has been alleged that opposite party is not an industry and that reference is belated. It was further alleged that concerned workman had completed 219 days in one calendar year before alleged retrenchment and that the concerned workman himself has abandoned the job.

4. In the rejoinder the above facts have been denied.

5. In support of his claim the concerned workman has examined himself as Munnu Singh w.e.f. and one Ayodhya Prasad Kushwaha a clerk of the opposite party has further been examined as W.W.2 to prove the number of days. The management has filed ext. W-1 to M-12 the copy of muster roll of the relevant one year preceding alleged retrenchment. Besides Assistant Engineer K. K. Mathur.

6. As regards the question of industry it may be mentioned that on 23-5-91, Ministry of Water Resources Central Government had written a letter in which it was conceded that Betwa River Board was an Industry. In view of this concession this plea of the management is negatived. The copy of this letter has been placed on record.

7. Retrenchment took place in 1987 whereas reference has been made in 1992 some time would have taken in getting matter conciliated. Taking overall view of the matter, I am of the view that there is no inordinate delay in seeking reference. Hence it cannot be a ground for rejecting the relief, if ultimately the applicant is entitled for it.

7. Assistant Engineer K. K. Mathur M.W.1 has stated that concerned workman himself had left the job which fact have been denied by Munnu Singh the concerned workman. I am not inclined to believe the version of the management on this point as in these days of acute employment problem one would not abandoned the work of his own.

8. The management has filed Ext. M-1 to M-12 the copies of muster roll. It is one year preceding the date of retrenchment. According to which the concerned workman had not completed 240 days. Instead, he had completed 219 days. Any way taking into consideration the principle laid down in the case of H. D. Singh Versus Reserve Bank of India, Lab. I.C. 1986 (S.C.), I am inclined to add Sundays and other holidays for computing the number of days. If it is done the concerned workman will be deemed to have completed much more than 240 days in a year hence he was entitled for retrenchment compensation and notice at the time of retrenchment which has not been done. Hence it is held that the retrenchment is bad because of breach of section 25F of I.D. Act.

9. There is no proof of the fact that there has been breach of section 25G & H of I.D. Act.

10. In the end my award is that retrenchment of concerned workman is being in breach of section 25F of I.D. Act, he is entitled for reinstatement with back wages at the rate at which he was lastly paid his wages.
Dt. 27-12-1996.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 3 जनवरी, 1997

का.आ. 177—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार छावनी परिषद्, कानपुर के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-1-97 को प्राप्त हुआ था।

[सं. एन. 13011/3/93-आई आर (डीयू)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 3rd January, 1997

S.O. 177.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Cantonment Board, Kanpur and their workman, which was received by the Central Government on 3-1-97.

[No. L-13011/3/93-IR-DU]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD,

PANDU NAGAR, KANPUR

Industrial Dispute No. 1 of 1995

In the matter of dispute between :
Mansukh Lal Balmiki,
Mahamantri, Uttar Pradesh,
Chawni Board Sihak Karamchari Sangh,
25/19, Karachi Khana, Kanpur.

AND

Adhishashi Adhikari,
Chhawni Parishad,
Kanpur.

AWARD

1. Central Government Ministry of Labour, New Delhi vide its notification No. 13011/3/93-I.R. (D.U.) dated 29th December, 1994 has referred the following dispute for adjudication to this tribunal :

KYA ADHISHASHI ADHIKARI CHAWNI PARISHAD, KANPUR KE DWARA GROUP C AND D KARAMCHARIYON KO SELECTION GRADE KA ARREAR BHUGTAN NA KARNA NAYOCHIT HAI? YADI NAHI TO SAMBANDHIT KARMKAR KIS ANUTOSH KA HAKDAR HAI?

2. As is obvious from the reference, the dispute relates to grant of selection grade to class C and D category of employees of the opposite party Cantonment Board, Kanpur.

3. Both the parties had setup pleadings in details. It is unnecessary to give detail of these pleadings as on 2-12-96 both the parties had stated before the tribunal that all the claimants have been granted selection grade and payment had also been made. Now no dispute remain except the claim of interest because of delayed payment of arrears arising from grant of selection grade.

4. The Au. Rep. of the concerned workmen have alleged that they should be allowed interest. I am not inclined to agree with him as in public bodies naturally some time is taken in processing of the matter. In such a case in term by way of damages should not be allowed.

5. Hence my award is that the dispute under reference has been resolved to the satisfactory of both the parties and the concerned workmen are not entitled for any interest.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 8 जनवरी, 1997

का.आ. 178—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द.पू. रेलवे विशाखापट्टनम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, विशाखापट्टनम के पंचपद को प्रकाशित करती है जो केन्द्रीय सरकार को 6-12-96 को प्राप्त हुआ था।

[संख्या एल-41011/61/89-आई आर (डीयू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th January, 1997

S.O. 178.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Visakhapatnam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S. E. Rly., Visakhapatnam and their workman, which was received by the Central Government on 6-12-96.

[No. L-41011/61/89-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT, VISAKHAPATNAM

Monday, the 25th day of September, 1996

I. T. I. D. No. 2/92(C)

PRESENT:

Smt. G. Jaishree, B.Sc., LL.M., Chairman and Presiding Officer,

BETWEEN

The Secretary,
Dakshin Purva Railway Mazdoor Sangh,
Electrical Loco Branch,
Railway Quarter No. 78/D
Type-III, Marripalem,
Visakhapatnam-530018.

... Workman.

AND

The Divisional Railway Manager,
S. E. Railway,
Visakhapatnam.

... Management.

This dispute coming on for final hearing before me in the presence of Sri A. V. Sambasiva Rao and Sri A. S. Rama Sarma, Advocates for workman and Sri Badrinath and Madan Mohan, Advocates for management, upon hearing the arguments of both sides the court passed the following:

AWARD

(1) The Government of India referred the dispute existing between Divisional Railway Manager, S. E. Railways, Visakhapatnam and their workmen, to this tribunal for adjudication u/s 10(1)(c) of Industrial Disputes Act. The terms of reference are as under:

"Whether the following demands of Dakshina Purva Railway Mazdoor Sangh are justified?

- (1) Withdrawal of unauthorised utilisation of artisan staff for Ministerial works and to increase Ministerial cadre.
- (2) Not to utilise untrained workers against works concerned to 6000 HP Computerised Electrical Locos.
- (3) To absorb 20 per cent of maintenance staff into running cadre of Electrical Locos.
- (4) Rectification of irregularities in conducting trade tests to Electrical Loco artisan workers.
- (5) Filling up of the posts of 'Master Craftsman' in grade Rs. 1400—2300 (RPS).
- (6) Rectification of seniority list in respect of S/Shri N. Atchutakumar, V. Kondal Rao, S. Apparao, S. K. Meera, Ch. U. B. E. Prasad apprentice fitters.
- (7) Non-payment of retirement benefits to Sri L. Appatao retired during the year 1987.
- (8) Withdrawal of punishment of stoppage of 2 sets privilege passes and 6 sets of PTOs from a period of 2 years imposed on Shri A.V.S. Prasad.

If yes, what relief the workmen concerned are entitled to and from what date."

(2) Claim statement is filed by the workman stating that demand Nos. 4 and 8 are dropped by the workmen. The claim regarding demand No. 1 is that 6 skilled fitters one HSF Grade-I and 2 Khalasis, as detailed in the claim statement, are being utilised for ministerial jobs like typist and clerk for 2 years, 4 years, 6 years and in one case for several years, unauthorisedly without creating the required strength of ministerial staff, as a result of which heavy burden is thrown on the artisans, thus causing injustice to both ministerial and artisan staff. It is demanded that the artisan cadre shall be withdrawn from Ministerial works and sufficient ministerial cadre staff shall be rostered and in the alternative, money equivalent shall be determined and paid to the working staff.

(3) Regarding demand No. 2, the plea is that untrained workers cannot handle 6000 HP locos as they are highly sophisticated computerised high power electrical locos and there is risk of life to the workers if untrained people handle the machinery. It is stated that the so called coaching classes to train artisans is an eye-wash and it is pleaded that such workers may be deputed in batches to the training schools for proper training.

(4) Regarding demand No. 3, it is stated that for absorbing 20 per cent of maintenance staff into running cadre of electrical loco-motives 40 candidates ought to be drafted but only 15 candidates are selected and there is a short fall of 25 candidates and the backlog from 1980, it is not cleared.

(5) Regarding demand No. 5, it is stated that the post of Master Craftsman in the cadre of Rs. 1400 to Rs. 2300 should be filled-up.

(6) Demand No. 6 is regarding rectification of seniority list in respect of Sri N. V. A. Chakradhar Kumar and 4 other apprentice fitters, on the basis of the Apprenticeship Act.

(7) Demand No. 7 is regarding non-payment of retirement benefits to Sri L. Appatao who retired during 1987. It is pleaded that he worked from 25-5-63 to 27-12-82 under PSP/development/SE Rly./WAT and from 1982 in Electrical shed. The entire service of 24 years rendered by him should

be considered as qualifying service for the purpose of pension following the circular Dated 22-7-90 of the Railway Board and letter dated 14-5-68 of Ministry of Finance.

(8) Rejoinder is filed by the management meeting the demands as follows: Regarding demand No. 1, it is stated that due to dearth of Ministerial Cadre in the Electrical Loco shed, the services of the artisan staff, are utilised in the ministerial cadre in the exigencies of service and in the interest of administration as per rule 226 of the Indian Railway Establishment Cadre Volume-I. It is pleaded that by withdrawing those cadres temporarily, the rest of the artisan staff are not put on with the additional burden of work and they are never made to work beyond restored 8 hours of duty and whenever they work overtime, they are paid overtime wages. It is also pleaded that a proposal for creation of certain posts in ministerial cadre are sent to the Head Office at Calcutta and the sanction is awaited. Further, it is stated that one of the 2 recognised Trade Unions i.e. S.E.R. Men's Congress is pursuing this issue at Head Quarters level at Calcutta and this union cannot negotiate as it is not recognised by the Railway Management. It is further pleaded that this demand is not covered by the Industrial Disputes Act.

(9) Regarding demand No. 2 it is stated that coaching is given to the artisan staff who are attending 6000 HP locos and they work under the able guidance of supervisors. It is further stated that all the staff working in Elect. Loco Shed are trained and gained experience and they are working on these locos for the last 3 years, and the services of this staff is utilised in the exigencies of service.

(10) Regarding demand No. 3, it is stated that 21 artisans mentioned in the court, are already absorbed into running cadre and options are further invited from grade-III fitters vide Lr. dated 17-8-92, for absorption as Electrical Assistant drivers to the extent of 20 per cent of vacancies.

(11) Regarding demand No. 5, it is stated that out of available cadre of skilled G.I, 10 per cent of posts were converted as Master Craftsman in the scale of Rs. 425-640 w.e.f. 1-1-84, and this scale is personal to the incumbent and it is given to a skilled Gr. I who completes 10 years of continuous service in the alleged grades I, II and III, including 3 years service in skilled Grade-I, on the basis of suitability to the post. It is further pleaded that as since the regular incumbents in MCM category are working as ELCs-I, the vacancies caused on account are being operated in H.S.F. Grade-I category from which MCM posts are created.

(12) Regarding demand No. 6, it is stated that Sri N.V.A. Ch. Kumar and 4 others were appointed as Trainee Fitters against vacancies earmarked for 25 per cent Direct Recruitment Quota and they have to undergo 6 months training as per the Apprenticeship Act, 1961, and accordingly they completed training on 3-3-85 and their seniority is reckoned w.e.f. 3-3-85.

(13) Regarding demand No. 7, it is stated that Sri T. Appa was appointed on a regular basis w.e.f. 30-12-82 and retired from service w.e.f. 30-11-87 on attaining the age of superannuation and thus he has put in only 5 years 11 months qualifying service but as per para 102 of Manual of Railway Pension Rules, 10 years minimum service is required and therefore, he does not earn pension.

(14) On behalf of workmen, WW1 and WW2 are examined and Exs. W1 to W22 are marked. For the management, no witnesses are examined but Ex. M1 is marked.

(15) The workmen filed written arguments and reply arguments. Heard oral arguments of both sides. Management advanced only oral arguments and did not file written arguments.

(16) The following points arise for consideration:

- (1) Whether Dekshin Purva Rail Mazdoor Sangh is not competent to raise the dispute?
- (2) Whether the demand Nos. 1, 2, 3, 5, 6 and 7 raised by the workmen, are justified
- (3) To what relief are the workmen entitled?

17. Point No. 1.—It is contended by the learned counsel for the Railways that Dakshin Purva Railway Mazdoor Sangh is not competent to raise the dispute as it is not a registered union and further that it is not a recognised one, by the Railways. Regarding its registration the workmen filed xerox copy of certificate of its Registration dated 6-1-1996 with registration No. NGP/102 under Ex. W-1. The learned counsel for management contends that Ex. W-1 is not reliable as it is a xerox copy. But the original cannot be filed as it is to be exhibited in the office at all times for inspection by the Labour Department and the other concerned departments. Further, the management did not adduce any evidence to disprove the same and this plea is not even raised in the rejoinder. Hence, I accept Ex. W-1 and the evidence of WW-1 in this regard and hold that the petitioner union is a registered one under the Trade Unions Act.

18. Regarding recognition of this union by the management, it is stated at the bottom of page (2) of register that the petitioner union is not recognised by the Railway Management and hence they cannot negotiate in respect of grievances of workmen in 3 tier permanent Negotiating Machinery. But negotiation is to be distinguished from raising industrial dispute. Negotiation is bargaining regarding issues like rates of wages, bonus etc. and likewise other conditions of service and the same differs considerably from complaining of some injustice and raising a dispute about the same. The learned counsel for management relies upon Section 28-F contained in Chapter III-A of the Indian Trade Unions Act, 1926, as amended by the Act of 1947, which is as follows. "The executive of a recognised Trade Union shall be entitled to negotiate with employers in respect of matters connected with employment or non-employment or the terms of employment or the conditions of labour of all or any of its members, and the employer shall receive and send replies to letters sent by the executive on, and grant interviews to that body regarding such matters. This is only an enabling provision providing rights to the recognised unions to bargain and negotiate on behalf of its members, which the employer cannot escape from responding and answering. This right is quite different from raising dispute under Industrial Disputes Act, Section 2(k) of this Act which defines "Industrial Dispute" does not contemplate raising of dispute only by a recognised registered trade union but it defines it as a dispute or difference between employers and workmen. Thus, a group of workmen unconnected with any registered or recognised trade union may also raise Industrial Dispute, as is held by the Supreme Court in State of Bihar Vs. Kripa Shankar Jaiswal reported in AIR 1961 Supreme Court page 304 and in Newspapers Ltd. Allahabad Vs. U.P. State Industrial Tribunal and Others reported in AIR 1960 Supreme Court page 1328.

19. The next contention raised by the management is that the names of aggrieved persons are not mentioned. But a perusal of terms of reference shows that regarding terms 6 and 7, the names of aggrieved workmen are mentioned. Regarding items 1, 2, 3 and 5 which are pursued, the names of affected persons cannot be given as these are general in nature and not with reference to specified persons.

20. It is next contended that there is no proof to show that the affected workmen are members of the petitioner union and that they made any complaint to the union. But the cause taken up by the union is for the benefit of workmen in general and as the union itself is a party, these questions do not arise.

21. It is also contended that the union did not raise any dispute earlier with the respondent and therefore there is no existence of industrial dispute. In this regard, WW-1 deposes that they made representation to the Divisional Personnel Officer and Divisional Railway Manager, S.E. Railways, Waltair vide Ex. W-2 dated 13-12-88, Ex. W-3 dated 17-12-88, Ex. W-4 dated 21-12-88 and Ex. W-5 dated 23-9-89 but as there was no response to all this correspondence, they ultimately gave strike notice on 1-7-89 vide Ex. W-6 to the Asst. Commissioner of Labour, who convened joint meeting but the management failed to attend it and the ACL submitted failure report under Ex. W-7 dated 31-8-89. It is suggested to WW-2 in his cross-examination that these documents are never sent to the management and not received by them but the witness denied it. It is elicited that they have not filed acknowledgements to these documents but the management has not produced any evidence to show that these representations are not received by them. This plea is not raised in the

rejoinder. In these circumstances, I do not see any reason to disbelieve the evidence, of WW-1 who is the Asst. Secretary of the union and WW-2 in this respect and hold that the workmen raised the dispute with the management before approaching the ACL.

22. It is lastly contended that the General Manager should have been made respondent in these proceedings. But these are not civil court proceedings and the Divisional Railway Manager, S.E. Railways who is made respondent, is sufficient to represent the management for the purpose of these proceedings.

23. For all the above said reasons, I do not see any force in any of the contentions raised by the management that the petitioner union is not competent to raise this dispute. Accordingly, I hold on this issue that the petitioner union is competent to raise the dispute.

24. Point No. 2.—Demand No. 1:—Regarding this demand it is stated in the claim statement that 6 skilled fitters, one HSF Grade-I and 2 Khalasis are being utilised for ministerial jobs. It is stated that Sri V. C. A. Narasimham, skilled fitter is being utilised as typist in the office for the last 6 years, Sri V. S. Prakash Rao, skilled fitter as tool room clerk for the last six years, Sri D. Venkateswar Rao, skilled fitter, as establishment clerk since 2 years, Sri K. G. B. Nair, skilled fitter as stores clerk for the last 6 years, Sri G. Subba Rao, HSF Grade-I and 3 others for maintaining records for several years and Smt. Krishnaveni, Khalasi, as despatch clerk for the last 4 years. It is stated that they are so utilised without creating the required strength of ministerial staff. Consequently there is heavy burden on the artisan staff, Meeting this demand it is stated in the rejoinder that the artisan staff are utilised for ministerial work due to dearth of ministerial cadre in the exigencies of service and by withdrawing these cadres temporarily, the rest of the artisan staff are not put on additional burden and the number of their working hours is not increased. It is pleaded that one of the recognised Trade Unions by name S.E.R. Men's Congress is already pursuing the issue of creation of ministerial cadre at Head Quarters level at Calcutta and proposal for creation of ministerial posts mentioned in the rejoinder, had been sent to the Head Quarters Office at Calcutta and the sanction is awaited. Thus, it is admitted that Artisan staff are utilised for ministerial posts but it is pleaded that the same is done temporarily in the exigencies of administration and due to dearth of ministerial posts. But the period of 2 years, 4 years and 6 years, which is mentioned in the claim statement and which is not denied in the rejoinder, cannot be taken as temporary and it is obvious that the management is unreasonably utilising the artisan staff for ministerial work for several years without failing up and without creating ministerial posts, which is not justified. The workmen filed Exs. 15 and 16 showing work allotment. Ex. W 15 shows the number of skilled, unskilled, supervisory staff per loco and per 100 locos. If lesser number is allotted contrary to this hardstick, the numbered working hours may not be increased but the workload definitely increases. WW-1 deposed that at the time of reference, there were 72 loco Engineers and they are increased to 103 now, and thus work load increased. Both WW-1 and WW-2 testify that when the artisan staff are reduced on locos, the work load on them increased and they are pressed to work and complete the work task in time and without sufficient staff and they cannot do the work with the same efficiency. WW-1 further deposes that the ministerial cadre also suffers disadvantage by not filling up their posts. From all this evidence I am satisfied that intolerance and prejudice is caused to the workmen working in the Electric Loco shed of S.E. Railways, Waltair Division as a result of the management adopting unwarranted and unjustified method of making artisan staff do the work of ministerial staff for number of years without appointing sufficient ministerial staff though there is dearth of ministerial staff. Thus, there is imminent need for appointment of sufficient ministerial staff in order to balance the work and workload and without of artisan staff from ministerial works. Demand No. 2.—This demand is not to utilise untrained workers against works concerned to 6000 HP computerised Electric Locomotives.

25. Regarding the demand, it is stated in the claim statement that maintenance of 6000 HP Locomotives is entrusted to WAT shed though they are not in the maintenance account of Waltair shed and shed employees are illegally utilised for maintaining them. These untrained workers could not handle

highly sophisticated computerised high power electrical locos. The so-called coaching classes is an eyewash and the correct procedure is to depute the workers in batches to the training schools where coaching is given by qualified teachers instead of supervisors in the shed who are not competent to impart the training. Meeting this demand, It is stated in the rejoinder that the services of this staff are utilised in the exigencies of service and maintenance of 6000 HP Locomotives being carried out under the able guidance of supervisors and coaching is given to the artisan staff who are attending these locos. It is stated that 52 posts in different grades have been sanctioned for the maintenance of HP Locomotives and sanction for 27 more posts is sought.

26. WW-1 deposes that 18 Locomotives of 6000 HP are purchased from Sweden and Japan by the management about 8 years ago and they are highly sophisticated and computerised locos and they are asked by force to work on these Engines without any training and there is risk of life and accidents when untrained persons operate these Locomotives. The workmen filed the training programme for 2 days under Ex. W-17 for operating 6000 HP computerised Electrical Locomotives. The management filed a list of trained persons along with the period of their training for this purpose under Ex. M-1 which shows 2 days training for all these persons. Both WW1 and WW2 depose that this 2 days training is not sufficient but WW2 admits in his cross-examination that he has not personally seen what type of training the workmen were given to operate 6000 HP computerised Electrical Locomotives and the persons who received training in this regard did not give any representation to their union or the management in writing stating that the training is not sufficient, and all the workmen who are trained in this regard are still working operating 6000 HP Computerised Electrical Locomotives. Though he states that these workmen complained orally, no such workman is examined to depose that the training is insufficient and that he is experiencing any risk or difficulty in operating these Locomotives and that he requires some more training. WW2 admits that he himself did not undergo this training and only based on his opinion he is stating that the training is insufficient. Thus, there is no reliable and sufficient evidence to show that untrained or insufficiently trained workmen are made to work on 6000 HP Locomotives. Accordingly, I find demand No. 2 is not justified.

(27) Demand No. 3 : This demand is to absorb 20 per cent of maintenance staff into running cadre of Electrical Locomotives. Regarding this demand, it is stated in the claim statement that towards this 20 per cent, 40 candidates are to be taken but only 15 are selected and there is short fall of 25 candidates and backlog from 1980 is not cleared. In the rejoinder it is stated that 21 artisans are absorbed and some of the selected expressed unwillingness for absorption and again options were invited vide letter No. 17th August, 1992, for absorption to the extent of 20 per cent. WW1 deposes the facts mentioned in the claim statement but admits in his cross-examination that clearing the backlog is a policy matter of the Central Government. This evidence shows that absorption of 20 per cent maintenance staff into running staff is not violated and the management is trying to clear the backlog. Hence this demand is not justified at this stage.

(28) Demand No. 4 : This demand is dropped by the workmen.

(29) Demand No. 5 : This demand is filling up posts of 'Master Craftsman' in grade Rs. 1400—2300. Regarding this demand WW2 deposes that the cadre strength of Artisan skilled workers is 436 out of which 30 per cent are to be appointed as Gr.-I Artisan and 10 per cent out of this 30 per cent, Grade-I artisans are to be posted as Master Craftsman in the grade of Rs. 1400 to 2300 (RPS). He states that the entire cadre strength is not there as the management is utilising the artisan staff for ministerial work and the posts of Master Craftsman are not being filled up. In the rejoinder, it is stated that the grade of Master Craftsman will be given to a skilled Grade-I who completes 10 years of continuous service in the same or allied grades I, II and III (including 3 years service in skilled grade-I) on the basis of suitability for the post. It is stated 10 per cent of posts out of the available cadre of skilled Gr. I were converted as Master Craftsman in the scale of Rs. 425—640 w.e.f. 1st January, 1984 and it is pleaded that this scale is personal to the incumbent and it will revert to the scale of skilled Gr. I (Rs. 300—560)

with the retirement etc. of the post by the individual incumbent, till it is filled up again. It is further pleaded that since the regular incumbents, in M.C.M. Category are working as ELCs-B, the vacancies caused on account are being operated in MSP Gr. I category from which MCM posts are created. But no evidence is produced by the management to show that they took steps to fill up the required quota of Master Craftsman and the incumbents are working elsewhere, except suggesting in the cross-examination of WW1 that 10 per cent quota is filled up. In these circumstances, I hold that this demand of workmen is justified.

(29A) Demand No. 6 : This relates to rectification of seniority list in respect of N. Achuta Kumar, V. Kondal Rao, S. Appa Rao, S. K. Meera, Ch. V. B. P. Prasad, apprentice Fitters. It is stated in the rejoinder that these persons are appointed as Trainee Fitters against vacancies earmarked for 25 per cent direct recruitment quota from open market and as per Apprenticeship Act, 1961, they have to undergo 6 months training for absorption into the regular grade and they completed this training on 3rd March, 1985 and accordingly, their seniority in the category of skilled Fitter Gr. III was reckoned w.e.f. 3rd March, 1985. The workmen filed Ex. W16 which is the extract from the Indian Railway Establishment Manual dealing with training for artisans and WW2 deposes that the management did not follow the guidance mentioned in Ex. M18 and these five workmen are given only 6 months training against Ex. M18. He states that they were appointed on 3rd September, 1984 and given only six months training whereas 32 departmental candidates who are already working in the department as Fitters on loan basis were absorbed w.e.f. 1st September, 1984, were sent for training for a period of one year from 1st September, 1984. Because of the difference in the training periods, the above 5 direct recruits are made seniors to the 32 departmental candidates, as their training period was over earlier. The combined seniority list is filed under Ex. W19 which shows the above 5 persons at serial numbers 54 to 59 and the other 32 workmen are shown from Sl. No. 60 onwards. WW2 deposes that all these persons are grade 3 Fitters and their seniority in Ex. W19 is shown in the category of Grade-III and they are all trainee Fitters possessing the same qualifications. A perusal of Ex. W19 shows that the list of seniority pertaining to Grade-III Fitters contains the names of 95 persons and the names of the above 5 direct recruits are shown at Sl. Nos. 54, 55, 57, 58 and 59. In column No. 5, all the persons in the list from Sl. No. 54 are shown as Trainee Fitters except Sl. No. 59 & 94. At column No. 6 of this list, the dates of their appointment to this post are mentioned. The dates of appointment for serial Nos. 54 to 59 are shown as 3rd September, 1984 and at column No. 8, they are given seniority w.e.f. 3rd March, 1985 after completion of 6 months training. The appointment of serial Nos. 60 to 64 is shown as 6th July, 1984 and their seniority w.e.f. 6th July, 1985, appointment of Sl. Nos. 65 to 72 as 1st September, 1984 and their seniority w.e.f. 1st September, 1985. Though these persons are appointed prior to the Sl. Nos. 54, 55, 57, 58 and 59, they have become juniors to them on account of one year training whereas the above direct recruits have become their seniors on account of six months training. Though the dates of appointment of Sl. Nos. 85 to 94 is shown on 3rd September, 1984, they are given seniority only w.e.f. 3rd September, 1987. The management did not produce any evidence to explain these discrepancies and did not explain the same in their rejoinder atleast, except stating that they are given seniority from the date of completion of training as per rules Ex. W18 is the extract of para 159 of Indian Railway Establishment Manual—Volume I, Revised Edition 1989 pertaining to the filling of vacancies in the category of skilled artisans, grade-III, para 159(i)(ii) provides for filling 25 per cent of vacancies from serving semi-skilled and unskilled staff with educational qualifications as laid down in Apprenticeship Act and 50 per cent by promotion of staff in the lower grade as per the prescribed procedure. Both these provisions do not provide any training for the candidates drawn under this quota and the management did not adduce any evidence to show any training is prescribed for these candidates by any other provision. On the other hand para 159(3) of this Manual prescribes training for certain categories of direct recruits. Thus, the seniority given to the above 5 direct recruits over and above the departmental promotees is not properly explained by the management. In these circumstances, the workmen are entitled for correction of this seniority as per rules after giving notice to the affected parties and after hearing them.

(30) Demand No. 7 : This is regarding payment of retirement benefits to Sri L. Apparao, retired during the year 1987. In the claim statement it is stated that Sri L. Apparao worked with management from 25th May, 1963 to 27th December, 1982 and from 30th November, 1987 in electrical shed and his entire service of 24 years should be considered for computing qualifying service for the purpose of pension and in this context circular dated 22nd July, 1990 of the Railway Board and letter dated 14th May, 1968 of Ministry of Finance are to be followed. Regarding this demand it is stated in the rejoinder that he was appointed on a regular basis w.e.f. 30th December, 1982 and retired from service w.e.f. 30th November, 1987 on attaining the age of superannuation. Thus, he has put in only 5 years 11 months qualifying service but according to para 102 of Manual of Railway Pension Rules, Minimum 10 years service is required for earning pension and therefore Sri L. Apparao is not qualified for pension. It is stated that he is paid the other retirement benefits like gratuity, P.F. and retirement gratuity.

(31) WW1 deposes that Sri L. Apparao has got 20 years service as Kalasi in Project service and 5 years in regular service and the management did not calculate correctly the qualifying service for pensionary benefits. WW2 also deposes that Sri Apparao worked from 1963 to 1987 continuously and this entire service should be reckoned for pensionary benefits. It is contended by the management that Sri Apparao is not examined to speak these facts but the management did not deny these facts of service in the rejoinder and no evidence is produced to disprove the same. WW2 admits in his cross-examination that Sri Apparao was appointed on regular basis w.e.f. 28th December, 1982 and retired w.e.f. 30th November, 1987 on attaining the age of superannuation, and as per pension rules minimum service of 10 years is required to become eligible for pension. He admits that Sri Apparao is paid all his other dues after retirement. Thus, the dispute is regarding eligibility for pension only and the workman rely upon Exs. 20, 21 and 22. Ex. W21 dated 14th May, 1968 is the office memorandum issued by the Government of India, Ministry of Finance laying down that half the service paid from contingencies will be allowed to count towards pension at the time of absorption in regular employment subject to certain conditions. Ex. W22 issued to all Ministries of Government of India, refers to Railway Ministry's letter dated 7th September, 1969 providing that the service as substitute will count for pensionary benefits from the date of completion of six months continuous service as substitute provided it is followed by absorption in regular service without break. Ex. W20 dated 23rd April, 1980, is the proceedings of the Chief Personnel Officer, stating that the casual labour who are on the verge of retirements (within one year to retire) and having more than 15 years continuous service or so, should be screened and absorbed in regular department with a view of extending the pensionary benefits including family pension to them their dependent relations as the case may be. A perusal of these three documents shows that the casual labour working with the management continuously for number of years are entitled not only for regularisation on the verge of retirement but they are also entitled to count substantial portion of their service as casual labour for pensionary benefits. The learned counsel for the Railways strenuously contends that the said Apparao did not enter the witness box to depose that he worked continuously from 1963 to 1987 as pleaded in the claim statement. But the management itself did not produce any record nor did it adduce any evidence to show that the case of Sri Apparao was duly considered having regard to these documents under Exs. W2 to W22 and that he was found not eligible for pension either because he did not put in continuous service or otherwise, before his regularisation. The plan of the management that his service counts for pension only from the date of regularisation is erroneous and the same disregard, the benefit of service put in as casual employee as provided by Exs. W20 to W22. In these circumstances, I hold that the said Sri Apparao is entitled to be considered for pensionary benefits in accordance with Exs. W20 to W22 and also other orders of circulars if any. It is reported by the management and also confirmed by the counsel for the workmen that Sri Anna Rao died recently. But this fact does not make any difference in as much as his legal representatives are entitled to receive the arrears of pension to which he may be found entitled and further his dependant relatives are entitled to family pension as provided under Ex. W20.

(33) Demand No. 8 : This demand is dropped by the workmen.

(34) Point No. 3 : In view of my findings on points 1 and 2 above, the workmen are entitled to the reliefs as stated below.

Demand No. 1 : This demand is justified and the management is directed to appoint sufficient number of ministerial staff and withdraw the artisan staff from ministerial work within a period of six months from the date of receipt of copy of this award by the management.

Demand No. 2 : This demand is not justified and the workmen are not entitled to any relief in respect of this demand.

Demand No. 3 : This demand is not justified at this stage and the workmen are not entitled to any relief at this stage.

Demand No. 4 : Dropped by workmen.

Demand No. 5 : This demand is justified and the management is directed to fill-up the posts of 'Master Craftsman' till 10% quota is filled up as per rules.

Demand No. 6 : This demand is justified and the management is directed to correct the seniority of the 5 persons mentioned in this demand as per rules and within 6 months from the date of receipt of copy of this award by the management after giving notice to them and after hearing them.

Demand No. 7 : This demand is justified and the management is directed to consider the case of Sri L. Apparao for pensionary benefits with reference to Exs. W20 to W22 and any other regulation, circular order if any in this respect, within a period of 6 months from the date of receipt of this award by the management.

Demand No. 8 : This demand is dropped by workmen.

(35) in the result, Award is passed answering the reference as follows : "Demands 4 and 8 are dropped by workmen. Demands 2 and 3 are not justified. Demands 1, 5, 6 and 7 are justified. The respondent management is directed to appoint sufficient number of ministerial staff and withdraw the artisan staff from ministerial work (Demand No. 1), to fill-up the posts of 'Master Craftsman' as per rules till 10% quota is filled up (demand No. 5) to rectify the seniority of the 5 persons mentioned in demand No. 6 and to consider the case of Sri. L. Apparao and decide about his pensionary benefits with reference to the relevant provisions in the Railway Pension Manual and all Rules, Regulations, Memorandums and circulars in this regard (Demand No. 7). This award shall be implemented within 5 month from the date of receipt of copy of this award by the respondent management.

Written by me on this the 25th day of September, 1996,

Smt. G. JAISHREE, Chairman & Presiding Officer

APPENDIX OF EVIDENCE IN I.T.D. No. 3/92(c) WITNESS EXAMINED

FOR WORKMAN:

WW1 : A. V. S. Prasad.

WW2 : A. V. S. Prasad.

FOR MANAGEMENT:
None.

DOCUMENTS MARKED:

FOR WORKMAN:

Ex. W1 : Xerox copy of certificate of Registration of Trade Union.

Ex. W2 : 13-12-88 : Representation to DPO|SERly.|Waltair by union.

Ex. W3 : 17-12-88 Letter addressed to DRM|SERly, Vap by union.

Ex. W4 : 21-12-88 : Letter to DRM, SERly, by union.

Ex. W5 : 29-3-89 : Letter to DRM, SERly, Waltair by union.

Ex. W6 : 1-7-89 : Strike notice addressed to ACL, Vap. by union.

Ex. W7 : Strike notice addressed to Secretary to Govt. of India, New Delhi.

Ex. W8 : 31-8-89 : Strike notice to Secretary to Govt. of India, New Delhi.

Ex. 9W : 20-4-89 : Letter to GM, SERly, Calcutta by union.

Ex. 10W : 1-7-89 : Strike notice to ACL, by union.

Ex.W11 : 26-7-89 : Letter addressed to DRM, SERly, Waltair by union.

Ex. W12 : 30-6-89 : Letter to Sr. DEE|TRS|SEERly, Waltor Vsp. by Union.

Ex. 13 : 3-7-89 : Letter addressed to DRM, SERly, Waltair by union.

Ex. W14 : 1-8-89 : Letter addressed to DRM|SERly, Vsp. by union.

Ex. W15 : The Yard Staick for RSM Group issued by management.

Ex. W16 : Work Distribution to ELS staff working in Sr. DEE|TRS office.

Ex. 17 : Training Programme for Artisans issued by management.

Ex. W18 : Extract of para 159 of Indian Railway Establishment Annual Volume-I Revised Edition, 1989.

Ex. W19 : Provisional seniority list as on 28-2-90.

Ex. W20 : 23-4-89 : Pensionary benefit of casual labour.

Ex. W21 : Office memorandum by management.

Ex. W22 : Letter Reg., substitute service counting of pensionary benefits.

FOR MANAGEMENT:

Ex. M1 : Staff trained in M.P. Locos.

BY COURT :

Ex. C1 : 1A. 188/95 by workmen to produce documents by Management before the Labour court, Visakhapatnam.

Ex. C2 : 7-4-93 : Memo by management.

Ex. C3 : 24-8-93 : Memo by management.

Chairman & Presiding Officer
Industrial Tribunal-cum-Labour Court,
Visakhapatnam.

नई दिल्ली, 8 जनवरी, 1997

का.आ. 179.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे, इलाहाबाद के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या एल-41012/15/94-आई आर (बी-1)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th January, 1997

S.O. 179.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway Allahabad and their workman, which was received by the Central Government on 2-1-97.

[No. L-41012/15/94-I.R. (B-I)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 67 of 1995

In the matter of dispute :

BETWEEN

Km. Minu Soni,
Joint Secretary, Railway Employees Union,
118/78 Kaushalpuri

AND

Divisional Railway Manager
Northern Railway Allahabad

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-41012/15/94-I.R. (B-I) dated

9-6-95, has referred the following dispute for adjudication to this Tribunal—

Kya Divisional Railway Manager Uttar Railway Allahabad द्वारा श्री शिव प्रसाद को दिनांक 26-5-88 से सेवा से निकाशित करना अन्यायपूर्ण है ? यदि नहीं तो सम्बंधित कर्मकार किस अन्याय का हकदार है ?

2. The concerned workman Sheo Prasad has alleged that he was engaged as Khalasi on 7-12-73 by opposite party Northern Railway. He met with an accident on 2-9-81 as a result of which he was rendered unfit for doing duties in medical examination. Instead doctor advised the railway to take light work from him. Instead of doing to the railway illegally terminated the services of the concerned workman w.e.f. 26-5-88.

3. The management has failed to put in appearance despite service of notice. In support of his claim the concerned workman has examined himself as WW-1 besides he has filed Ext. W-1 to W-7 from which his claim is duly proved.

4. It is therefore, held that the concerned workman was rendered medically incapacitated to discharge his duties. Any how he was medically fit to the extent that light work could be taken from him which fact have been ignored by the railway in utter breach of relevant rules.

5. Hence my award is that termination of the concerned workman is bad in law. The opposite party railway is directed to take light work from the workman within one month from the date of publication of the award. In case of breach the concerned workman will be entitled for back wages at the rate at which he was getting wages at the time of cessation of work.

Dated : 19-12-1996

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 8 जनवरी, 1997

का.आ. 180.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ राजस्थान लि. नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या एल-12012/16/85-डी-IV (बी)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th January, 1997

S.O. 180.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Rajasthan Ltd. New Delhi and their workman, which was received by the Central Government on 2-1-1997.

[No. L-12012/16/85-D.IV (B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I. D. No. 14/86

In the matter of dispute :

BETWEEN

Om Parkash Sharma
DDA Flat No. 201/G (MIG),
Rajouri Garden, New Delhi.

Versus

Regional Manager,

The Bank of Rajasthan Limited,
2213, Gurdwara Road, Karel Bagh,
New Delhi.

APPEARANCES :

Shri Tara Chand Gupta for the workman.
Shri Shiv Kumar for the Management.

AWARD

1. The Central Government in the Ministry of Labour vide its Order No. L-12012/16/85-D.IV (A), dated 16-12-1985, has referred the following dispute to this Tribunal :—

"Whether the action of the management of Bank of Rajasthan Limited in terminating the services of Shri Om Parkash Sharma by letter dated 5-1-84 is justified? If not, to what relief the workman is entitled?"

2. The workman concerned, Shri Om Parkash Sharma, was appointed as Peon-cum-Farrash in the service of the Bank of Rajasthan Limited on probation of six months vide appointment letter dated 4-7-83. He was posted at Janpath Branch of the Bank at New Delhi, where he joined duty on and from 6-7-83. On expiry of the period of probation, he was neither confirmed nor his period of probation was extended any more, as a result of which his services were terminated vide order dated 5-1-1984 and he was relieved the same day after close of the working hours. It is against this termination of his services against which he has raised the present dispute.

3. The case of the workman is that during his probation period, he had performed duties satisfactorily, efficiently and vigilantly without giving any chance of complaint. In his statement of claim, he has stated that, although, in the termination letter dated 5-1-84, it has been mentioned that his work, behaviour and conduct had not been found to be satisfactorily during the period of his probation according to the reports received from time to time, but no instance for any deficiency or shortcoming or objectionable feature in his work, behaviour or conduct was either mentioned in the letter of termination or ever brought to his notice during his probation period. He has further stated that he had already completed six months satisfactory service as a probationer when his services were terminated, which is illegal and unjustified and amounts to his dismissal from service. He has claimed his reinstatement with continuity of service with full back wages from 6-1-84 onwards with suitable cost of the case.

4. The contention of the management on the contrary, is that during the period of probation, the workman had committed repeated acts of misconduct for which he was always called and warned. The workman often used to misbehave with the employees of the Branch and he used to talk in most filthy and abusive language. On number of occasions, he was found to have mishandled the cheques in clearing. He also committed act of insubordination and defied orders of his seniors. On 28th October, 1983, it was reported by a staff member Sri Sunil Kumar that he refused to give a glass of water and instead started abusing him for no reason. Again on 12th November, 1983, it was reported by another staff member Shri Bhani Ram that the concerned workman snatched away him from cheques in clearing. It is further stated that he always used to come later whenever he was assigned the job of bringing cheques in the clearing. On 30th November, 1983 again, he shouted and abused the Head Peon, when he asked the concerned workman as to why he was late in bringing the cheques relating to clearing. It is further stated by the management that on 30th November, 1983, the workman had left the bag

containing cheques outside, which however, was picked up and was handed over to clearing cell by Shri R. P. Sharma, the then Sub Manager, who happened to be there by chance. Lastly on 27th December, 1983, the workman caught hold of hand of a staff member, Shri Sharwan Kumar and started abusing him, which matter was reported to the Sub Manager of the Branch. Thereafter the workman went to the clearing cell and started singing song, thereby causing so much disturbance that working became difficult and the matter had to be reported to the Sub-Manager, where the workman also came and again started abusing the said Shri Sharwan Kumar. The workman also manhandled the said Shri Sharwan Kumar in the presence of Shri S. M. Shrimal, Shri Sunil Bansal, Shri Guljar and Shri Bhani Ram, who were present at the Branch in connection with annual closing work. The matter was then reported to the Assistant General Manager and the Regional Manager for immediate action against the workman. It is further stated that the workman after the incident of 27th December, 1983, remained unauthorisedly absent on 28th, 29th and 30th December, 1983. It is further stated that due to the said misconduct, as also the past conduct of the concerned workman, the entire staff was so much agitated that on 28th December, 1983, the entire staff refused to start work unless immediate action was taken against the workman. Ultimately, the Regional Manager, Manager had to intervene and after talking to the staff member, reported the matter to the Assistant General Manager for strong action against the workman. The management ultimately after considering the past record of the workman and the incident of 27th December, 1983, decided to terminate the services of the workman on 5th January, 1984 when the probation period was expiring. It is submitted by the management that the workman is not fit to be retained in the employment and fully justified.

5. The management have filed documents vide list dated 19-1-87 and 16-4-91 alongwith certain documents with affidavit and have examined Shri S. M. Shrimal, an Officer of the Bank, Shri Sharwan Kumar, a Clerk, Shri Bhani Ram, a Peon, Shri Sunil Bansal, a Clerk, Shri Rudra Prakash Sharma, Senior Manager and Shri R. K. Rastogi, Manager as MW-1 to MW-6 respectively, to probe the occurrences

6. The workman concerned has annexed 8 documents with his statement of claim. He has not led any oral evidence.

7. I have heard representatives of both the parties and have gone into the evidence on record.

8. This is a case in which the concerned workman was appointed on probation of six months, commencing from 6-7-83 and ending on 5-1-84, on completion of which his services were terminated because he was not found suitable for permanent absorption in the service of the Bank, as his work, behaviour and conduct had not been found satisfactory based on reports received from time to time.

9. Pre-confirmation reports relating to the period from 6-1-83 to 30-7-83 and 6-8-83 to 6-12-83 are on record, which indicate his performance, behaviour and conduct quite poor. There are letters dated 12-11-83, 13-11-83 and 28-12-83 from Shri Bhani Ram, Peon (Exhibit MW-1/1), Shri Guljar, Head Peon (Exhibit MW-3/1), Shri S. M. Shrimal, Officer, Shri Sharwan Kumar, Clerk, complaining about misbehaviour, insubordination, mishandling of cheques in clearing, manhandling, abusing, shouting, and signing songs on duty against the concerned workman to the manager of the Branch, which ultimately was forwarded to the Assistant General Manager, Delhi Region, Delhi, reporting that the entire staff of the Branch was agitating against misbehaviour and misconduct done by the concerned workman and they were not ready to start work until and unless immediate action was taken against him.

10. The Management have examined Shri S. M. Shrimal Officer on probation, at the Branch as MW-1, Shri Sharwan Kumar, Clerk, as MW-2, Shri Bhani Ram, Peon, as MW-3, Shri Sunil Bansal, Clerk as MW-4, Shri Rudra Prakash Sharma, Senior Manager, as MW-5 and Shri R. K. Rastogi, Manager,

as MW-6 to probe the allegations against the workman. In their cross-examination by the concerned workman, nothing material has come out. All the said witnesses have fully proved the case of the management and the incidents of 28th October, 1983, 12th and 30th November, 1983 and 27th December, 1983 have been found fully proved.

11. As per appointment letter dated 4-7-83 issued to the concerned workman, his confirmation in service was subject to his satisfactory work and conduct during probation period. From the evidence on record, it is established that his work and conduct during probation period was not satisfactory, as a result of which, he was not confirmed in the service of the Bank and his services were terminated vide Order dated 5-1-84 with one month pay in lieu of notice.

12. From the evidence on record, I am fully satisfied that the management was fully justified in terminating his services on completion of his probation period with one month pay in lieu of notice.

13. For permanent absorption, overall suitability is considered. In the present case, it appears from the record before me that the services of the workman were terminated on an overall appreciation of record of the service, whereby the workman was found unsuitable, being absorbed in the service.

14. I have perused the termination letter dated 5-1-1984, wherein, it is simply mentioned that according to reports received from time to time, work, behaviour and conduct of the workman during probation period, has not been found satisfactory. In the appointment letter issued to the concerned workman, it had been made clear that his confirmation is subject to his satisfactory work and conduct. I also do not find any force in the contention of the representative of the workman that the letter of termination was stigmatic. On careful perusal of the letter of termination **there does not appear to be anything which could be a stigma on his career for future.**

15. On the basis of the points discussed above I am satisfied that there is full justification for the action of the management in terminating the services of the concerned workman. The workman as such was not entitled to any relief. Award accordingly.
Dated : 20th December, 1996

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

का०आ० 181 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई०सी०एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, आसन सोल के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/92/95-आई०आर० (सी-II)]

एस. राविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 181.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/92/95-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 49/95

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Chora OCP of M/s. E.C. Ltd.

AND

Their Workmen

APPEARANCES:

For the Employer—None.

For the Workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 29th November, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/92/95-IR(C.II) dated 22-9-95.

“Whether the action of the management in superseding Sh. Sidheswar Singh in the matter of promotion in the post E. P. Mechanic Exe v. Grade-A w.e.f. 5-1-90 is justified or not? If not, what relief the workman is entitled to?”

2. In spite of notice sent by Registered Post on 16-8-96 and again on 11-9-96, the union does not take any step. Presumably it is no more interested in the dispute.

3. Hence ‘No Dispute Award’ is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

का०आ० 182 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई०सी०एल० के प्रबंधन के संबद्ध नियोजकों और उसके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसन सोल के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/394/94-आई०आर० (सी-II)]

एस० राविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 182.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as

shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/394/94-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 10/95

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of
Bhanora Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—None.

For the Workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 29th November, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(394)/94IR(C-II) dated 16-2-95.

"Whether the action of the management of Bhanora Colliery under Sripur Area of ECL in denying payment of wages to the workmen as per details given in the annexure by affecting premature superannuation to them and allowing them back on duty after their age assessment by Apex Medical Board is legal & justified? If not to what relief the concerned workmen are entitled to?"

2. Two registered notices issued to the union's designated representative returned back having not been received. Notice was issued again for the third time by post. Yet no response from the union. Apparently the union is no more interested in the dispute.

3. Hence a 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कांअ।० 183.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, ईंसी०एल० के प्रबंधन के संबंध निधोजकों और उसके कमचारों के बीच अनुसंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के

निर्णय को प्रकाशित करता है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था :

[संख्या एल०-22012/297/95-आईआर (सी-II)]

एस० रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 183.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/297/95-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 3/96

PRESENT:

Shri R. S. Mishra, Presiding Officer,

PARTIES :

Employers in relation to the management of
Lachipur Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—None.

For the Workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 29th November, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(297)/95-IR(C-II) dated 31-1-96.

"Whether the action of the management of Lachipur Colliery under Kajora Area of M/s. ECL in denial of wages for the idle period from 1-7-86 to 1.87 to Sh. Narain Swain U.G. Loader is justified and if not, what relief the workman is entitled to?"

2. The union does not file written Statement and does not also take any other step. Apparently it is no more interested in the dispute.

3. Hence 'No, Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कांश्रा० 184 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई०सी०एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/100/95-आई०आर० (सी-II)]

एम० रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 184.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/100/95-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 56/95

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Parscola Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—None.

For the Workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 29th November, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/100/95-IR(C-II) dated 10-10-95.

"Whether the action of the management in the matter of promotion and its consequential benefits to Sh. Hiren Mondal, B'II Clerk, Parscola Colliery, Kajora Area of M/s.

ECL, PO : Kajoragram, Dist. Bardwan (W.B.) is justified? or not? If not, what relief the workman is entitled to?"

2. The union does not file Written Statement and does not take any step. Apparently it is no more interested in the dispute.

3. Hence a 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कांश्रा० 185 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई०सी०एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/90/95-आई०आर० (सी-II)]

एम० रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 185.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/90/95-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 48/95

PRESENT:

Shri R. S. Mishra, Presiding Officer

PARTIES:

Employers in relation to the management of Lachipur Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—None.

For the workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 29th November, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Sec-

tion 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/90/95-IR (C.II) dated 22-9-95.

"Whether the action of the management in denial of the payment for the forced idle period from 1-3-82 to 26-7-89 to Sh. Gopal Bharatia under ground loader, Lachipur Bharatia underground loader, Lachipur Colliery of M/s. ECL, PO : Kajoragram, Dist. Burdwan is justified or not? If not, what relief the workman is entitled to?"

2. In spite of notice sent by Registered Post on 16-8-96 and again on 11-9-96, the union does not take any step. Presumably it is no more interested in the dispute.

3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कां.आ. 186 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच प्रबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचम को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-22012/307/94-आई.आर. (सी-II)]

एम. रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 186.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96

[No. L-22012/307/94-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 19/94

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Sodepur 9 & 10 Pits Colliery of M/s. E.C.L.

AND

Their Workmen

APPEARANCES:

For the Employer—Sri P. K. Das, Advocate.

For the Workmen—Sri C. D. Dwivedi, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated the 2nd December, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(307)/94-IR(C.II) dated 9-11-94.

"Whether the action of the management of Sodepur 9 & 10 Pits Colliery in not rectifying the year of berth of Sh. Sugrin Harijan, Security Guard is justified? If not to what relief is the concerned workman entitled to?"

2. The authorised representative of the union submits in writing that the union is no more interested in the dispute.

3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कां.आ. 187 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच प्रबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचम को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-22012/87/93-आई.आर. (सी-II)]

एस. रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 187.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/87/93-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

New Delhi, the 27th December, 1996

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 31/93

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of

J. K. Nagar Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—Sri P. K. Das, Advocate.

For the Workmen—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 3rd December, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (1) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/87/93-IR (C.II) dated 17-6-93.

"Whether the action of the management of J. K. Nagar Colliery of M/s. E.C. Ltd., in paying wages to the incoming shift workmen of second and third shift and simultaneously denying overtime payment to 244 workmen of A shift who were kept underground on 28-5-91 beyond their duty hours is legal and justified? If not, to what relief the workmen are entitled to?"

2. The union does not file Written Statement. Apparently it is no more interested in the dispute.

3. Hence 'No Dispute Award' is passed

R. S. MISHRA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

का०आ० 188 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय परकार ई०सी०एल० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद से केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/555/95-आई०आर० (सी-II)]

एस० रविश अली, डेस्क अधिकारी

S.O. 188.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 24-12-96.

[No. L-22012/555/95-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 33/96

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of
Shankarpur Colliery of M/s. E.C. Ltd.,

AND

Their Workmen

APPEARANCES:

For the Employer—Sri P. K. Das, Advocate.

For the workmen—Sri S. D. Pandey, President
of the union.

INDUSTRY : Coal. STATE : West Bengal.

Dated the 2nd December, 1996

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/555/95-IR(C.II) dated 21-8-96.

"Whether the denial of the management of Shankarpur Colliery under Bankola Area of M/s. ECL for not regularising S/Sh. Binoy Kumar Singh and Dharani Badyakar as Electrician in Category IV since 10-8-91 is justified? If not what relief the workman is entitled to?"

2. The designated representative of the union files a written memo intimating that because of amicable settlement with the management, the union wants the reference to be closed.

3. 'No Dispute Award' is apparently passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली 27 दिसम्बर, 1996

का.ग्रा. 189.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में केन्द्रीय सरकार एफ.सी.आई. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं 1 के पंचपट को प्रकाशित करता है जो केन्द्रीय सरकार को प्राप्त हुआ था।

[संख्या एस०-22012/59/एफ/92-आई०ग्रा० (सी०-II)]

एस० रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 189.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad No. 1, as shown in the Annexure in the industrial dispute between the employers in relation to the Management of F.C.I. and their workmen, which was received by the Central Government on 26-12-96.

[No. L-22012/59/F/92-IR(C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT,
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 96 of 1992

PARTIES :

Employers in relation to the Management of
Food Corporation of India, Darbhanga

AND

Their Workmen

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer

APPEARANCES :

For the Employers—Shri H. C. Jha, Asstt. Manager

For the Workmen—Shri V. Kumar, State Jt. Secretary, FCI Executive Staff Union.

STATE : Bihar

INDUSTRY : Food

Dated, the 18th December, 1996

AWARD

By Order No. L-22012/59/F/92-I.R. (C-II), dated the 4th September, 1992, the Central Gov-

ernment in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Food Corporation of India, Laheriasarai, Darbhanga in retrenching Shri Gobind Kumar Choudhary who was working as casual typist, arbitrarily and in violation of Section 25-F of the I.D. Act, and denying re-instatement with full back wages and regularisation of service is legal and justified? If not to what relief the concerned workman is entitled to?”

2. The workman and the sponsoring which appeared and filed written statement stating therein that the concerned workman was employed on 5-9-1986 as casual typist at District Office, Food Corporation of India, Darbhanga and he actually worked there till 27-7-1990 and from 28-7-90 he was stopped from his work and he was paid wages upto 15-8-90 and thereafter no payment was made and his name was struck off from 15-5-90. It is also said that he worked for more than 240 days during 12 calendar months but no notice or retrenchment compensation as provided under Section 25-F of the I.D. Act was given to him and his retrenchment was illegal and void ab-initio. He was also paid less wages than regular typist while he was working with F.C.I. and it is said that he is entitled for re-instatement from the date of his retrenchment with full back wages.

3. I further find that the F.C.I. management appeared and filed written statement-cum-rejoinder stating, inter-alia, that this reference was not maintainable and there was no relationship of employer and employed between the management and the workman and the latter was independent professional typist doing the typing work in Civil Court premises, Laheriasarai, Darbhanga and he was engaged in carrying on all typing jobs given to him by various parties on agreed rates. It is said that F.C.I. is situated at a distance of about 500 ft. from the Court compound and for convenient the management got some papers typed as and when required by the workman. It is also said that there was in the year 1986 and he was carrying on all typing job and performing other clerical job. His services was terminated and there was no new man posted at Darbhanga office and an industrial dispute was pending before Central Government Industrial Tribunal No. 2, Dhanbad. It is said that no typist was appointed and letters were written by hand and some papers were used to be typed at Court compound by said workman and he used to submit his bills from time to time and he was paid amount of typing charges and necessary letters were used to be typed on Corporation's letter head. These papers were supplied by the

management to him. His typing work also varied from day to day and he was not given typing work every day. It is said that he was given typing job for 52 days in the year 1986, and 69 days in the year 1987, 24 days in the year 1988, 189 days in the year 1989 and in the year 1990 he was given 46 days only. The total amount drawn by him from October, 1986 to April, 1990 was Rs. 5,441.50 paise and from this it would be clear that he was not a workman of the management. It is also said that the concerned workman was independent person carrying typing work not under the control and direction of the management and he was also doing typing work given by general public.

4. It is also said that he was not called for interview nor was selected and no appointment letter was issued. The work given to him would have been done within 1 to 3 hours on days varying as per work available. It is further said that a permanent typist was posted at the office in April, 1990 and there was no requirement of getting typing work done from outside agency. There was also no requirement of other typist other than the typist appointed and the concerned workman was not a workman of the management and the question of termination of his service did not arise and he has also not completed 240 days work and he was not doing typing work on every day. So the claim of retrenchment compensation under Section 25-F of the I.D. Act, 1947 did not arise. It is further said that as he did typing work as and when available it would not be said that he was casual typist and not get status of a workman. It is finally said that the claim of the concerned workman was not justified nor he was entitled for regularisation of service and back wages as claimed.

5. By way of rejoinder to the written statement of the workman the contentions of the letter has been specifically and parawise denied in the rejoinder and the same is said to be incorrect and denied. It is also denied that the concerned workman has completed 240 days during any calendar year and he was retrenched from service. Finally it is said that there was no truth in the contention of the workman and he was not entitled for the relief as claimed and the award be passed accordingly.

6. From the record it appears that no rejoinder to the written statement of the management was filed by the workman and the union.

7. On the basis of contentions of the parties the point for decision in this reference is—

- (a) Whether the action of the management of F.C.I. in terminating the service of the concerned workman violating the provision of Section 25-F of the I.D. Act was justified?

- (b) If not, to what relief or reliefs the workman is entitled?

8. Both the points being inter-linked are taken together for their consideration. I find that in support of its case the management has examined altogether three witnesses—MW-1 Ramendra Narayan Foujdar who was Asstt. Manager, Accounts at Darbhanga office of F.C.I. from January, 1985 to March 1988 and he has supported the contentions of the management that the concerned workman was a professional typist doing independent job and typing work was given to him from the management office as and when required and on submission of bill by him the same was passed and payment was made. During the period there was no typist in the said office as previous was removed because of C.B.I. case. Kate of typing was decided by the management through a Committee and the same was paid to the workman. In cross-examination he has said that at that time Sri K. K. Pathak was the District Manager and Sri Sudhir Krishna Kundu was Asstt. Manager (General) and later Sri T. N. Srivastava joined as Asstt. Manager. He has denied that the workman was doing typing work in the office and typewriter, paper, carbon paper etc. were supplied by the management and his attendance was marked in the office. He has also denied that the job of the workman was mentioned as casual typist. He has denied that he was adducing falsely, MW-2—Sri Punit Narain Lal was Asstt. Manager from 1986 to June, 1989 in Darbhanga office of F.C.I. and he knew the concerned workman who was professional typist and has supported the case of the management as given in the written statement. In cross-examination he stated that during his time Sri K. K. Pathak and Sri Sudhir Krishna Kundu and Sri T. N. Srivastava were working there as District Manager and Asstt. Manager. He has seen signature of these persons on three papers but he did not recognise the same and marked 'X' to 'X/2' for identification. He has also stated that payment was made to the workman as per fixed rate by the Committee and there was no agreement between the management and the workman for those fixed rate. He has denied that the workman was working full time as casual typist. He could not say as to when the management stopped taking work from the workman and whether any notice or notice compensation was given or not. The evidence of MW-3—Sri Kaushal Kumar Jha, an employee of Clerk Grade-II at Darbhanga office, has supported the management's case by stating that in the year 1986 there was no typist in Darbhanga office of F.C.I. and after complaint made by them to General Manager the workman was engaged for typing letter on contract basis and he used to come office every day for sometime and collected paper and drafts and used to type at Civil Court Campus and he was paid charges as per rate fixed by the Committee. He has proved bills and vouchers submitted

by the workman and payment was made to him, which are marked Ext. M-1 to M-10 and he knew the workman from before. In cross-examination he has stated that in the year 1986 all the typists of Bihar Region were retrenched from services and between 1986 to April, 1990 there was no typist and stenographer at Darbhanga depot and the concerned workman was being engaged as typist during the period and some log books for the work performed by him daily on which he used to put his signature and in the 9 registers of log book of the workman showing his job done on daily basis and on some pages it bears initial of this witness. Some other office staff have also put their initial on these log books which he could not identify and these log books are marked Exts. W-1 to W-18. During that period Sri K. K. Pathak was District Manager there and his signature has been marked 'X|3' for identification. He has stated that no paper was supplied to the workman for typing and that the workman was not full time typist engaged in the office. There is no other witness on behalf of the management.

9. The workman has examined two witnesses. WW-1 Kameshwar Thakur, Head Watchman at Darbhanga office of F.C.I. in the years 1990 to 1995 and he was sent District Office for two months in the year 1990 and thereafter to Darbhanga Godown. He has further stated that in the year 1990 the concerned workman was working as typist in the District office and was doing typing work in the office premises of Darbhanga District office of F.C.I. and typing papers were supplied by the office and he worked during whole office hour and upto 7 P.M. He has denied that the workman doing typing work in Civil Court premises. Before 1990 when he was posted somewhere else and when he used to go to his village and District office there was no other typist except the concerned workman working in the FCI District office here. He has further stated that he saw the workman doing work as and when he went there. The office time is from 10 A.M. to 5 P.M. but the workman was working till 7 P.M. He has denied that he was adducing falsely.

10. WW-2 is the concerned workman himself, who has supported his case as given in his written statement and has stated that he was working for the whole month except Sundays and holidays and he did work more than 240 days in all calendar years. He has further stated that there was no other typist during the period when he did work at F.C.I. office and he was maintaining daily log book of typing work which has been filed in this case and it was counter-signed by the officer and staff of the office and he was being paid Rs. 400/- to Rs. 500/- monthly whereas regular typists used to get Rs. 5000/- per month, and there was no difference of work done by him and a regular typist and he worked for whole

office hour and upto 7 P.M. He has proved certificate given by Sri K. K. Pathak marked Ext. W-2 and two other certificates marked Exts. W-2/1 and W. 2/2. Similarly four cash vouchers marked Exts. W-3 to W-5/3 and two payment receipts under signature of Sri Manik Sana marked Exts. W-4/1 and the certificate in original given by Sri K. K. Pathak, the then District Manager is marked Ext. W-5. Payment was made after preparing bills and he received under protest which he has mentioned in Ext. M-1 and he used to put his signature. He has denied that he was doing typing work in the Civil Court premises. In cross-examination he has stated that he has no paper in writing to show that he was typing in office premises. He has denied that as per Ext. M-1 he was submitting bills. He was doing the same under pressure and signed in Ext. M-1 series. He has also stated as he was casual typist bills ought to have been prepared on daily wage basis but he was being paid on monthly basis and no other facilities and G.I. was given to him and no chargesheet was issued to him. He has further stated that there was no despatch number on the certificate filed and has denied that these certificates are manufactured one for the purpose of this case. He has also denied that forged signatures have been given on these certificates. He has denied that vouchers filed by him were manufactured for the purpose of this case. He has denied that he was adducing falsely.

11. There was no other witness. Some documents have been filed on behalf of the parties and Exts. M-1 to M-10 are vouchers and bills signed by the workman and on Ext. M-1 the workman made endorsement 'received under protest' for the period 5-10-86 to 31-10-87. He was described as private typist by the management in Ext. M-2 it was mentioned as typing charges to the workman of District office, Darbhanga. Similarly in Ext. M-3 he has been described as typist, District Office, Darbhanga for the month of July, 1989. In Ext. M-4 he has been described payment for typing work of the workman of District office, Darbhanga for August, 1989. Similarly in Ext. M-5 it is mentioned typing charge of the workman, District Office, Darbhanga for October, 1989. In Exts. M-6 and M-7 he has been described as daily wages typist, District office, Darbhanga. In Ext. M-8 only the name of the workman has been mentioned for the payment of January, 1990 whereas in Exts. M-9 and M-10 he has been described as professional typist for February, 1990 to April, 1990 and December, 1988 to February, 1989. From these facts it is clear that only on Exts. M-1, M-9 and M-10 the workman has been described as private or professional typist whereas on rest these exhibits specifically on Ext. M-7 he has been described as typist, District Office, Darbhanga daily wages typist, District Office, Darbhanga. There is no other paper on behalf of the management.

12. The workman has filed Ext. W-1 series which are log books and as per admission of MW-3 these log books were prepared by the workman with his signature and on some of the log books for daily work done by the workman initial of this witness has been put and on some pages different initial of some other different official and officers and place. As such, these documents are authenticated documents of the workman signed by official and officers of the management from day to day. Ext. W-2 series are certificates given by Sri K. K. Pathak, S. K. Kundu and T. N. Srivastava for different dates wherein they have certified that the workman was working as English typist on casual basis since 5-9-86 with full satisfaction of the management. Ext. W-3 series are photo copies of vouchers for payment made to the workman where he has been shown as casual typist attached to District Office, Darbhanga, F.C.I. duly signed by District Manager and Asstt. Manager (Accounts) and Assistant of office preparing the vouchers.

The original of these documents must be with the management which were called for but have not been produced by the management. Similarly Ext. W-4 and W-4[1] are two receipts showing that the payment was made to the workman where he has been shown as casual typist on 16-6-88 and 5-8-88. Ext. W-5 is certificate given by Sri K. K. Pathak, the then District Manager in original, photo copy of which has been marked Ext. W-2 earlier. Ext. W-6 is photo copy of existing vacancy of F.C.I., Bihar Region as on 30-6-96 where three vacancies have been shown. Ext. W-7 is photo copy of a letter given by Asstt. Manager, District Office, Darbhanga to Shri Jha, H/O for issuance of some papers for typing some statements regarding damaged food grain where he has been described as casual typist of the office.

12. From these documents filed and exhibited by the workman it has been tried to establish that he was working as casual typist and this fact has been acknowledged by the officers and staff of the management of District Office and from receipt vouchers and also from Ext. W-1 series log books prepared by the management on which initials were put by the management's witness, MW-3 and other official and officers of the management for showing his daily typing work done by him. From these Ext. W-1 series it also became clear that there was no truth at all on the plea taken by the management that the workman did not work 240 days or more in any calendar year. It is admitted fact that from 1986 till April, 1990 there was no typist or stenographer in District Office, Darbhanga of the management and typing work was being taken from the concerned workman. The workman has pleaded and adduced evidence that he worked on all working days during the period except Sundays and holidays and he worked till 7 P.M. per day for the whole day which has been supported by WW-1 and workman himself as WW-2. This fact also gets some credence from Ext. W-1 series log books showing his daily work performed by the workman. The documents of the management itself which is Ext. M series discussed above also go to support the management's

contention that the concerned workman was working as casual or daily wage typist which has been mentioned on these Exts. M-1 to M-10 and on three of these exhibits he has been described as professional or private typist. From Ext. W-2 series and Ext. W-5 also certificate given by the then District Manager and Asstt. Dist. Manager he has been described as daily wage typist of Darbhanga District office of F.C.I. As such it has been argued on behalf of the workman that there is ample and substantive evidence on record to establish the claim of the workman that he was working as daily wages or casual typist with the management from 1986 till July, 1990 whereas payment was made to him upto 15-5-90 and that too very less amount ranging between Rs. 300 to Rs. 500 P.M. and that time a typist was being paid Rs. 5000 per month for the same. It is said that less payment during the admitted period when he was working with the management from 1986 to 1990 and after 15-5-90 till July, 1990 no payment was made to him although he worked till that day. It has also been submitted that there was still vacancy of English Typist with the management as per Ext. W-6 the chart showing vacancy position in June, 1996 and as he has completed more than 240 days as casual workman with the management which is established from their own document vide Ext. M series and Ext. W series he was entitled for his reinstatement from the date of his retrenchment i.e. 15-5-90 and no notice or notice compensation was given to him for his illegal retrenchment violating the provision under Sec. 25F of the I.D. Act, 1947. Accordingly, it is pointed out that this retrenchment of the concerned workman from the aforesaid date was illegal and void-abinitio and the action of the management was totally unjustified. It is therefore, submitted that he was entitled for the claim of reinstatement with back wages as claimed and his claim is totally justified.

13. On the other hand, it has been submitted on behalf of the management that the workman was never employed with the F.C.I. management and he was not a casual to the management rather he was a private or professional typist doing some typing work of the management and payment was made on rate fixed for which bills were submitted by the workman which fact is clear from Exts. M-1 to M-10. It is also submitted that there was no employer-employee relationship with the management and the concerned workman and the workman never completed 240 days attendance in a calendar year and specifically it is mentioned in the written statement and evidence of the management that he was working for a few hours that too not every day but as and when required his services were taken on payment. So far documents of the workman and log books and certificates granted by the officers of F.C.I. Ext. W-2 series and Ext. W-5 and payment receipts Ext. W-3 are concerned it is said that all these are manufactured documents and could not be relied upon. It is also submitted that photo copy of judgement of Writ Petition No. 261/95 Calcutta High Court has been filed where it has been held by the Hon'ble Justice that in the similar circumstance the workman was not employee of the F.C.I. rather he was employed by S.T.C. and he cannot be absorbed by the management of F.C.I.

14. Perused the aforesaid copy of judgement and I find that this case is different from the aforesaid judgment of Writ Petition and here there is no case that the workman was employed by some other management. So far private or professional typist the plea about the workman taken by the management this fact falsifies from their own document. So far private or professional typist the plea about the workman taken by the management this fact is falsified from their own document Exts. M-1 to M-10 where he has been described as daily rated typist and typist of District Office, Darbhanga. Exts. W-2 series have been signed and issued by the responsible officers of the management of Darbhanga District Office and it cannot be said that they were under influenced of the workman and they issued the certificates under some illusion or mis-conception. Similarly from Exts. W-3, W-4 series and W-7 it is clear that all these documents go to show where the workman was described as casual workman of FCI, Darbhanga District Office by the official of the management and even MW-3 has admitted that daily log books Ext. W-1 series were prepared by the workman for the work done by him with the management and it was signed by the workman and there was initial of this witness, MW-3 and some officials of the management and it cannot be said that these were manufactured documents and these nine registers go to show day to day work done by the workman of the management. It is also pleaded by the management in their written statement that letter head and papers were supplied for typing the letters or documents of the management as such the evidence of MW-3 that no paper, carbon or letter head were supplied by the management is falsified. From Ext. 'W-1' series it is clear that the workman has worked for more than 240 days in more than one calendar years and the plea taken by the management that he had worked for very few number of days within 100 cannot be explained from any authenticated documents of the management from where this has been calculated is not clear and so far Exts. M-1 to M-10 are concerned these are self-contradictory as discussed above.

15. After considering the documents, evidence and points of argument advanced on behalf of the parties, I find much force in the plea taken by the workman that he had worked for long period from 1986 to 1990 May, with the management, but he was paid less and without any ryme and reason or without giving him any retrenchment compensation he was retrenched after 15-5-1990 and this action of the management cannot be justified. The plea that there was no relationship of employer and employee between the parties taken by the management also could not be established rather from the documents as discussed above, it is clear that the workman was working with the management for such four years and completed more than 240 days in more than one calendar year and he was entitled for regularisation of service and his retrenchment after 15-5-1990 without notice or notice compensation was illegal and void abinitio and cannot be justified in any way.

16. Accordingly, I find and hold that the workman was entitled for the relief as claimed. However, it is clear that after 1990 May, he was not working with the management and as per Ext. W-6 there is still vacancy of English Typist in Bihar Region as on June, 1996, so he was entitled for his reinstatement from the date of his retrenchment.

17. Hence, following is the award :—

The action of the management of Food Corporation of India, Laheriasarai, Darbhanga in retrenching Shri Govind Kumar Choudhary who was working as casual typist, arbitrarily and in violation of Sec. 25-F of the I.D. Act, and denying reinstatement with full back wages and regularisation of service is not justified. So far back wages is concerned, as he has not worked for such a long period, as such 50 per cent of full back wages from the date of re-instatement till date to the workman is allowed. The management is directed to allow reinstatement of the concerned workman from the date of his retrenchment i.e. after 15-5-1990 within two months from the date of publication of award and to pay back wages as directed above.

In the circumstances of the case, parties to bear their own cost.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कांथा० 190.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडिय सीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, मम्बई नं० 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/123/95-आई०आर०(सी०-II)]

एस० रविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 190:—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Mumbai No 1 as shown in the Annexure in the industrial dispute between the employers in relation to the management of WC Ltd. and their workmen, which was received by the Central Government on 24-12-96.

[No. L-22012/123/95-IR (C-II)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer

Reference No. CGIT-1/51 of 1995

PARTIES :

Employers in relation to the management of W.C.L.,
Raiyatwari Sub Area.

AND

Their Workmen

APPEARANCES :

For the Management.—Shri B. N. Prasad, Advocate.

For the Workman.—Shri S. Mazhar.

STATE :

Maharashtra.

Mumbai, dated the 26th day of November, 1996

AWARD

The appropriate Government has referred the following dispute for adjudication to this Tribunal.

"Whether the action of the management of Supdt. of Mines Manager, Durgapur Raiyatwari Colliery, W.C.L., Chandrapur vide letter No. WCL/CHA/DRC/MGR/Per/1579 dated 9-10-93 in dismissing the services of Sh. Sadashiv Mondu Bhojwar, Loader is justified or not? If not, then for what relief the workman is entitled".

2. The workman filed his written statement of claim on 29-2-95 wherein he admitted that he had been absent from duty since 18-4-92. His grievance is that the management completed a domestic enquiry into the alleged absenteeism without giving him proper opportunity of defence. The domestic enquiry proceeded ex parte. During this period the workman had suffered from mental ailment. His relatives had met the management to apprise of the illness. After he was cured of his mental ailment, and was declared fit, he approached the management to reopen the enquiry but the management declined to do so and dismissed him. Upon such pleas, he prayed for reinstatement with back wages.

3. The management filed its reply on 18-6-91 wherein it was pleaded that the workman unauthorisedly remained absent from 18-4-92 without making any application for leave. The management waited for almost one year for the workman to report on duty but he did not do so. Hence, the management decided to hold a domestic enquiry. A chargesheet No. Vekali/Chakshu/Durga/439 dated 22/24-5-93 was sent to the workman by registered post A. D. at the last known residence of the workman. The chargesheet was received unserved as the workman left his residence without furnishing any new residential address. It was not possible for the management for an indefinite period hence an Enquiry Officer was duly appointed. A notice of enquiry was duly sent to the workman by Regd. post A. D.; another notice was published in a local News Paper Chandrapur Samachar. A copy of the notice was also affixed to the notice board of the Colliery. These notices specified the venue, date and time of enquiry but the workman did not put in appearance. The enquiry was commenced on 24-8-93 but the workman did not appear on that nor on the adjourned date i.e. 26-8-93. Consequently, an ex parte enquiry was held. The Enquiry Officer, after due enquiry found the workman guilty of the charge of unauthorised absence from duty. The Colliery Manager considered the report and looking to the gravity of the charge forwarded the papers for seeking approval of the action of dismissal. The same was approved by the Competent Authority and the workman was dismissed vide order dated 9-10-93. It was inter alia pleaded that in case the domestic enquiry was held to be not fair, legal or proper for some reason, the management may be granted an opportunity to prove the charge.

4. It was stoutly denied that during the absence of the workman, any of his relatives had met the management to apprise of any ailment from which the workman suffered. It was denied that the workman had been really ill during the unauthorised absence and had taken any treatment. It was pleaded that the story of ailment and treatment was a concoction. It was denied that the workman at any point of time had produced fitness certificate before the management. It was pointed out that the workman could have filed an appeal against the dismissal order but he did not do so. It was, therefore, prayed that the claim of workman be dismissed.

5. The workman filed a rejoinder (a xerox copy) duly signed by his representative Shri Mazhar on 1-5-96 wherein it was inter alia pleaded that the Enquiry Officer should have waited for the workman to recover inasmuch as the management was in know of the factum of ailment of the workman.

6. On 19-6-96, Shri Mazhar authorised representative of the workman submitted that there was no defect in the enquiry. Yet, he prayed that the Tribunal should direct a re-enquiry. The contention did not find favour with me and on the basis of material on record and keeping in view the powers of Sec. 11A of the I.D. Act, I framed following issues for adjudication: (Kindly see E. Merch (F) Ltd. Bombay vs. V. N. Parulkar & ors. 1991 II CLR 73(81)).

(1) Whether the management proves to the satisfaction of the Tribunal that misconduct with which the workman was charged is proved?

(2) Whether the punishment imposed is just and proper?

7. The management in support of its case filed affidavit of one Shri N. K. Seth (MW-1) in lieu of examination in chief. Record pertaining to domestic enquiry was also produced. To prove the said documents affidavit of one S. A. Basha was filed. The workman's representative chose to cross-examine Mr. Seth. The workman filed his own affidavit in rebuttal. He was cross-examined by learned counsel for the management. No other evidence was produced on behalf of workman.

8. Parties were heard orally on 30-10-96. Both the parties have also filed written submissions. I have perused the record; I have perused the written submissions and have given my earnest consideration to the arguments advanced before me.

9. Before I discuss the evidence pertaining to the two issues, I may state that in spite of concession made by his representative Shri Mazhar that the enquiry did not suffer from any defect, the workman with a view to circumvent and nullify the concession, stated in his said affidavit took the courage to say that he was not provided with show cause notice or with the enquiry papers prior to the order of dismissal. Suffice it to say that by his own conduct in leaving his residence without any address and making himself inaccessible to the management, the workman himself created a situation, for which he alone is to be blamed. The management did its best to reach the workman even by publication of a notice in a local newspaper but the workman had made himself unavailable. Hence, he can not be permitted to wriggle out of the concession made by his representative.

10. Issue No. 1.—This is an admitted position that the workman absented himself from duty w.e.f. 18-4-92. Shri N. K. Seth has stated categorically to this effect in his cross-examination and has very positively stated that the workman did not apply for grant of any leave. He has stated that he did not know why the workman was on leave. In his cross-examination, it was not suggested to him that the workman had been ill and his relatives had met officers in the management to apprise them about any such illness of the workman.

11. In his own affidavit, the workman has very generally and vaguely stated—

"When I was attacked by light mental effect and other disease (sic) my relatives met to Manager and explained before him my mental effect and other disease (sic)."

Then he goes on to say "Any how I had handled the job from 10-4-92 to 17-4-92. Then I was senseless so I do not know anything how I got normal and improved illness." Then he proceeds to say—

"I was comfort and improved my illness on 23-7-93 and obtain the fit certificate from doctor Bonginwar who is specialist in mental illness, again I was examined by Dr. Dodke, who was/is surgeon of Mevo Hospital Nagpur. He had also provided me the fit certificate.

I was not in a position to file the leave application before the management due to my illness I did not know anything about my previous life till I got the fit certificate."

In his cross-examination, he has deposed this he was got examined and treated by his sister's husband Shri Maroti Rao. This Maroti Rao has not been examined. The workman states that he was treated by Dr. Bonginwar. The said doctor has not been examined.

11. At one stage of the cross-examination, the workman had the audacity to say that during my enquiry, I had produced certificate of Dr. Bonginwar in the enquiry but when pressed further in cross-examination admitted that he did not recollect if he had produced such certificate during the course of enquiry. Really, when the enquiry was exparte, there was no occasion to do so. Even before me, no steps were taken to produce the said doctor to show that the workman was really ailing during the admitted absence of the workman from duties. Certain xerox copies of prescriptions were filed, purporting to have been issued by Dr. Vijay Bonginwar but none of them specify the ailment from which the workman suffered.

Then a xerox copy of a fitness certificate purporting to have been issued by one Dr. M. T. Dodake has been filed. By its certificate Dr. M. T. Dodake considered absence of the workman w.e.f. 10-4-92 to 31-5-95 as absolutely necessary for restoration of health of the workman. Admittedly, the workman was not under the treatment of Dr. Dodake from 10-4-92 to 31-5-93 and as per prescription of Dr. Vijay Bonginwar was under his treatment from 10-4-92 to 23-6-93. How Dr. Dodake then certify about the ailment of the workman for the period 10-4-92 to 23-6-93, passes one's comprehension. It appears that these prescriptions and certificate have been procured to justify the long absence of workman from duty.

12. The workman admitted that he did not file any appeal to the management against order of dismissal. This speaks eloquently of his conduct. I, therefore, find that the absence from duty on part of workman was not only unauthorised but also willful and he has failed to satisfy the Tribunal that he was really suffering from an ailment which could justify such a long absence from duty.

13. Issue No. 2.—The management has detailed the state of previous absence from duty on the part of workman in the preceding years in para 4 of the reply. This shows that the workman was a habitual and chronic absentee. Absenteeism has become the bane of industrial production and it upsets the entire schedule of production and supply. In my opinion unauthorised absenteeism deserves to be curbed with a stern hand and no relief can be granted to the present workman.

14. Hence, I find no merit in the claim of the workman and reject the same and hold that the management acted legally and properly in dismissing the workman.

R. S. VERMA, Presiding Officer

नई दिल्ली, 27 दिसम्बर, 1996

कांआ० 191.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस सी सी एल० के० प्रबंधन के संबद्ध नियोजकों 83 GI/97—42

और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचवट को प्रकाशित करता है, जो केन्द्रीय सरकार की 24-12-96 को प्राप्त हुआ था।

[सं. एल०-22011/6/83 डी-III(बी)आई०आर०(सी-II)(भाग)]

एस० राविश अली, डेस्क अधिकारी

New Delhi, the 27th December, 1996

S.O. 191.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad No. 1, as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd., and their workman, which was received by the Central Government on the 24-12-1996.

[No. L-22011/6/83-DIII (B) IR C-II (Pt.)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Shri V. V. Raghavan, B. A. LL. B., Industrial Tribunal-I.

Dated, 15th day of November, 1996.

INDUSTRIAL DISPUTE NO. 40 OF 1993.

BETWEEN :

The President, Godavari Loya Gani Karmika Sangham, H. No. 1-1-365/A-1, Jawahar Nagar, Hyderabad-500 020.

..PETITIONER.

AND

The Addl. Chief Mining Engineer, Ramagundam Division III, M/s. Singareni Collieries Company Ltd., Post Office Godavarikhani, Dist. Karim Nagar, (A.P.)

..RESPONDENT

APPEARANCES :

Shri K. Vasudeva Reddy, Advocate for the Petitioner M/s. K. Srinivasa Murthy and G. Sudha, Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its Order No L-22011/6/83-D. III (B)/IR(C. II) (Pt.), dated 27-10-1993 made a reference to this Tribunal under Section 10(1)(d) of Industrial Disputes Act, 1947 for adjudication of an Industrial Dispute mentioned in its Schedule which reads as follows :—

"Whether the action of the management of M/s. S.C.C. Ltd., Ramagundam Divisions III

in dismissing Shri Meteti Gattaiah S/o Lingaiah, Coal Cutter, Godavarikhani 9-A Incline, from service is legal and justified? If not, to what relief the concerned workman is entitled to and from what date?"

The said reference has been taken on file and a notice was issued to both parties.

2. After serving the notice the Advocates for both parties appeared before this Tribunal and requested time for filing their statements. Claims statement of the petitioner was filed on 2-3-1994 and a counter has been filed by the Respondent on 29-12-1994.

3. On 23-4-1996 a Memo was filed by the Respondent stating that the Management may be permitted to adduce evidence on the merits of the case to prove the misconduct of the workman and the Memo is recorded. Therefore the Management was permitted to adduce evidence to prove the alleged misconduct of the workman. On 1-7-1996 and 2-7-1996 the respondent examined M.W. 1 and Exs. M-1 to M-8 and Ex. W-1 marked. For further enquiry the matter was adjourned from time to time.

4. On 15-11-1996 both parties have filed a joint memo I. A. No. 217/96 stating that the workman Shri Matety Gattaiah and the Management have entered into a Memorandum of Settlement under Section 19(1) of I. D. Act, 1947 out of Court regarding the subject matter of this dispute and praying the Court to pass an Award in terms of Compromise.

5. Both the parties and their Advocates appeared before this Tribunal and admitted the terms of compromise entered into by both parties on 8-11-1996. Hence the Compromise is recorded.

6. In the result an Award is passed in terms of Compromise dated 8-11-1996 settled out of Court. The said Compromise alongwith Joint Memo is appended to this Award.

Given under my hand and the seal of this Tribunal this the 15th day of November, 1996.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of evidence

Witness examined for Petitioner—

Workman

NIL

Witness examined for Respondent.

M. W. 1 C. Simbachalam

Documents marked for the Respondent

Ex. M-1 : Affidavit in Wp No. 7405/82.

Ex. M-1 (a) : Postal Cover.

Ex. M-2 : Copy of the Counter in Wp No. 7405/82 filed by the Management.

Ex. M-3 : Certified Copy of the Judgement in Wp Nos. 7405, 7407 & 7408/82.

Ex. M-4 : Copy of Charge Sheet dated 1-10-1981.

Ex. M-5 : Copy of Explanation submitted by the workman on 13-10-1981.

Ex. M-6 : Copy of the Notice issued with regard to the enquiry.

Ex. M-7 : Enquiry Proceedings.

Ex. M-8 : Enquiry Report.
Documents marked for the Petitioner.

Ex. W-1 : Xerox copy of the Order in WA No. 1258 & 1259/87, dated 16-11-1987.

ANNEXURE

BEFORE THE HON'BLE INDUSTRIAL
TRIBUNAL (CENTRAL) AT DHANBAD

I.D. NO. 40/93

BETWEEN :

Shri Matety Gattaiah, Ex-Coal Cutter, GDK.
9-A, Incline . . . Petitioner

AND

The Management of Singareni Collieries, Com-
pany Limited, Ramagundan Area-II.
. . . Respondent.

COMPROMISE MEMO FILED BY BOTH THE PARTIES

1. It is respectfully submitted that the workman in dispute and the respondent company herein entered into a MEMORANDUM OF SETTLEMENT under Section 18(1) of I. D. Act, 1947 out of Court, regarding the subject matter of I. D. No. 40/93. It is submitted that the workman has agreed for the above settlement after mutual discussions.

2. The respondent Company has agreed to re-instate the dismissed workman notionally with effect from the date of his dismissal without any monetary benefit subject to being found Medically Fit.

3. No back wages and any other consequential benefits including attendant benefits shall be paid.

4. Continuity of service with basic protection from the date of reporting after re-instatement has been agreed by the Management.

5. The continuity of service will be given only for the purpose of computation of terminal benefits and not for any other purpose and petitioner agreed that no claim will be made with regard to wages or for any right in any court of law except what was agreed upon as full and final settlement.

6. The Petitioner Shri Matety Gattaiah herein expressly agreed that he will not have any claim

what so ever with regard to back wages and attendant benefits which relates to subject matter of I. D. No. 40/93. The Petitioner has agreed that he will not raise any dispute with regard to back wages and attendant benefits as the issue is fully and finally settled by the said settlement.

7. In view of the above, the Hon'ble Court may be pleased to pass any order in terms of Memorandum of Settlement dated 8-11-1996 arrived at between the respondent Management and the workman in dispute under Section 18(1) I. D. Act, 1947.

For Management (S.C.C. Ltd.) :

1. Shri M. Subba Rao,
Dy. Chief Personnel Manager,
Ramagundam Area-II.
2. Shri Ch. Jayakar,
Sr. Personnel Officer,
Ramagundam Area-II.

Sd./-

COUNSEL FOR RESPONDENT.
FOR WORKMAN :

1. Shri Matety Gattaiah,
Ex-Coal Cutter,
GDK. 9-A, Incline.

Sd./-

COUNSEL FOR PETITIONER.

MEMORANDUM OF SETTLEMENT ARRIVED AT UNDER SECTION 18(1) OF I. D. ACT, 1947 BETWEEN THE MANAGEMENT OF M/S. SINGARENI COLLIERIES COMPANY LIMITED AND SHRI MATETY GATTIAH, EX-COAL CUTTER, GDK. 9-A, INCLINE ON 8-11-1996 IN I. D. NO. 40/93 PENDING BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) HYDERABAD WITH REGARD TO DISMISSAL FROM COMPANY'S SERVICE AT HYDERABAD.

PARTIES PRESENT

REPRESENTING MANAGEMENT :
S.C.C.L.

- (1) Shri M. Subba Rao,
Dy Chief Personnel Manager,
RG. II, Area.
- (2) Shri Ch. Jayakar,
Sr. Personnel Officer,
RG. II, Area.

REPRESENTING WORKMAN :
WORKMAN

- (1) Shri Matety Gattaiah,
Ex-Coal Cutter,
GDK. 9-A, Incline.

SHORT RECITAL OF THE CASE

Shri Matety Gattiah, Ex-Coal Cutter, GDK. 9-A Incline was dismissed from the Company's service after conducting domestic enquiry on the Charge

sheet No. GDK. 9-A/81/48/3634, dt. 1-10-1981. This dismissal from the Company's services was effected vide Office Order No. P. RG. III/10-A/1477, dated 29-9-1982, with effect from 1-10-1982.

He has raised conciliation proceedings which were ended in failure. The Government of India referred his case to Industrial Tribunal (Central Hyderabad) during 1993 for adjudication that is after the lapse of about 11 years as per the High Court directions in W. A. No. 1258 of 1987.

This case was registered in Industrial Tribunal (Central) Hyderabad as I. D. No. 40/93. The adjudication is pending.

Means while both, the Management of Singareni Collieries Company Limited and the workman affected have discussed this issue mutually to reach an amicable settlement out of the Court. After holding discussions both the parties have agreed to settle this issue as follows :—

TERMS OF SETTLEMENT

(1) The Management agrees for the re-instatement of the dismissed workman Shri Matety Gattaiah, Ex-Coal Cutter, GDK. 9-A Incline NOTIONALLY with effect from the date of his dismissal i.e. 1-10-1982 without any monetary benefit, subject to being found medically fit.

(2) No back wages and other consequential benefits including attendant benefits shall be paid.

(3) Continuity of service with basic protection from the date of reporting after re-instatement has been agreed by the Management.

(4) Continuity of service will be given only for the purpose of computation of terminal benefits and not for any other purpose. The Petitioner agreed that no claim will be made with regard to back wages or for any right in any court of law except what was agreed upon as full and final settlement.

(5) The Petitioner has agreed that he will not raise any dispute with regard to back wages and attendant benefits as the issue is fully and finally settled. The Petitioner Shri Matety Gattaiah agreed that he will not have any claim what so ever with regard to back wages and attendant benefits which relates to subject matter of I. D. No. 40/93.

(6) Both the parties agreed to file the settlement before the Industrial Tribunal (Central) Hyderabad with a prayer to pass an award in terms of the said settlement.

SIGNATURE OF THE PARTIES

REPRESENTING MANAGEMENT :

S.C.C. LTD.

- (1) Shri M. Subba Rao,
Dy. Chief Personnel Manager,
S.C.C. Co. Ltd., RG. II Area,

(2) Shri Ch. Jayakar,
Sr. Personnel Officer,
S.C.Co. Ltd., G. II Area.

Sd./-

COUNSEL FOR THE MANAGEMENT
REPRESENTING WORKMAN :

WORKMAN

(1) Shri Matety Gattaiah,
Ex-Coal Cutter,
GDK. 9-A Incline.

Sd./-

COUNSEL FOR THE WORKMAN

I. A. NO. 217/96

I. D. NO. 40/93

Dated : 15-11-1996.

The Senior Personnel Officer of Management and Workman are present. Counsel for workman is present. They admitted the terms of compromise. Compromise is recorded.

Sd./-

V. V. RAGHAVAN, I. T.—I, Hyd.

नई दिल्ली, 30 दिसम्बर, 1996

कां० प्र० 102 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचयत को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-12-96 को प्राप्त हुआ था।

[संख्या एल०-22012/68/90-आईआर(सी-II)]

एल० रविश अली, डेस्क अधिकारी

New Delhi, the 30th December, 1996

S'O' 192 :-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on the 26-12-96.

[No. L-22012/68/90-IR (CII)]

S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I-AT
HYDERABAD

Present : Sri V.V. Raghavan, B.A., LLB., Industrial
Tribunal-I.

Dated, 5th day of December, 1996

Industrial Dispute No' 59 of 1990

BETWEEN

The Secretary, Central Council, Singareni Collieries
workers' Union (AITUC), P. G. Godavarikhani
505 209, Distt: Karimnagar (AP)...PETITIONER

AND

The General Manager, Area-I, Ramagundam Division, Singareni Collieries Company Limited, P.O. Godavarikhani - 505 209, Distt. Karimnagar (AP)

...RESPONDENT

Appearances :

Sri B. Ganga Ram, Representative for the Petitioner

M/s. K. Srinivasa Murthy & G. Sudha, Advocates for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi made a reference to this Tribunal by its Order No L-22012 (68)/90-IR(C.II) dt. 20-7-1990 and Corrigendum dt. 24-9-1990 under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 for adjudication of the Industrial Dispute mentioned in its Schedule which reads as follows:

"Whether the action of the management of M/s. Singareni Collieries Co. Ltd., Area-I, Ramagundam Division, P.O. Godavarikhani, Distt. Karimnagar (AP) in dismissing Shri Thati Rajaiah, Coal Filler, GDK. 2A Incline w.e.f. 7-1-1989 is justified? If not, to what relief, the workmen concerned is entitled?"

The said reference has been taken on file and a notice was issued to both the parties and they have put in their appearance.

2. The concerned workman filed a Claim Statement and the Vice President of the Workers' Union filed additional Claims Statement contending as follows: Bangari Dharmiah Coal Filler of GDK 2A Incline died in a fatal accident on 28-10-88 while he was handling the loads at the curve of the tramming level. There was investigation by Sri Ram Reddy, Dy. Director General of Mines Safety. When he enquired the Mines Manager, as to how the Coal Filler could handle the loads at the curve point when it is not his job, the Manager answered that the Coal Filler handled the loads at the curve point, on his own accord. He also stated that this practice is there in every mine and the fillers alone would handle the loads or empties at the curve point as per the existing practice in the company. The Manager gave false statement to safeguard himself. The Coal Fillers refused to handle the loads or the empties at the curve point on coming to know the statement of the Manager. So when the Manager insisted to do the said work, there was a strike. The allegation that the workmen in question instigated the workers to go on strike is not correct. It is further pleaded in the additional claim statement filed by the Vice President of the Union that the Mines Manager discontinued the practice of the coal fillers handling the loads and empties at the curve for sometime and asked the Coal Fillers to do all jobs as per the old practice on 3-11-1988. They demanded musters to Gang Nos. 7A & 7B on 3-11-1988 and proceeded on strike on 4-11-1988 demanding the full back wages for 3-11-1988. The petitioner-workmen Thati Rajaiah was suspended for some time and later on he was dismissed from service. The suspension and the dismissal were two independent punishments and cannot be given for same misconduct.

3. The respondent-Management filed a counter and an additional counter admitting the death of Bangari Dharmaiah in the accident and the enquiry by the Mines Manager but contending as follows: Bangari Dharmaiah himself was negligent by doing the tub riding which is prohibited under the Mine Act and it resulted in the accident and his death. The Dy. Director, Mines Safety enquired into the matter and found that the management is not at fault. The Coal fillers themselves have to draw the empties from Trammings Point to the working place and they load them with coal and leave them upto the general line. In this process they push the tubs on the line for which they are being paid pushing allowance besides their salary. The entire mine is planned in such a way that for moving the tubs the track which has been laid will be having a gradient and whenever there is a loaded tub, it moved easily when it is pushed. The speed will be controlled by the hauler operator when they are attached to the hauler rope. Thus at every point of curve, the coal fillers manage the movement of the tub by sprags. 18 Coal fillers in Gang Nos. 7A and 7B and some spare coal fillers did not do any work on 3-11-1988 and they sat idle after they booked their musters. Hence their demand of fall back wages are refused. Thati Rajaiah, when questioned agreed that he instigated the coal fillers to strike work. So a charge sheet for instigating the coal fillers to strike work and cause loss to the company was served upon him. The Enquiry Officer found him guilty after a proper domestic enquiry and he was dismissed from service. His dismissal was approved in MP No. 1/89 in ID No. 56/84 by this Tribunal. It was again raised in this dispute. The enquiry was conducted properly. The petitioner is not entitled for any relief.

4. The Management filed the record of enquiry into this Tribunal. The Enquiry Officer was examined as MW1 and he filed Exs. M1 to M6. The workman was examined as WW1. This Tribunal heard both the parties and passed an order dated 29-6-96 that the domestic enquiry held in this case is defective and as such null and void. However this Tribunal granted permission to the Management to lead the evidence in proof of the misconduct. Then the Management examined its employees as M. Ws. 2 to 6. The workman examined three more workers as W.W.2 to W.W.4.

5. The point for consideration is whether the Petitioner-workman Thati Rajaiah is entitled to the relief of reinstatement, back wages and other benefits?

6. POINT:—The Petitioner-workman Thati Rajaiah has been working as Coal Filler in 2A incline. He was served with Ex. M2 Charge Sheet which reads as follows:

“Sri Thati Rajaiah,

Coal Filler, Gang No.1 R/C.

You are hereby charged with following offences.

On 4-11-1988 in IInd shift you booked your ‘IN’ muster and did not report to the Overman for distribution. You instigated and participated in illegal strike by the coal fillers of Gdk. 2A Incline on 14-11-88 in IInd shift demanding musters to the coal fillers of 7A & 7B Gangs and spare coal fillers number 18 who had not filled any tub in 40 Dip district/1 seam on 3-11-88 in IInd shift and also instigated them (coal fillers) to refuse to do their normal work of handling loads and empties at the curve of trammings level which is a regular practice in the mine.

You are aware that the Government of India has declared the coal industry as public utility service which was circulated vide letter No. P. 40/23/68/IR/1096 dated 2-7-88 and

a copy of the same was exhibited on the notice board at the mine.

Consequent upon your participation and instigation all the coal fillers struck work illegally in IInd shift of 4-11-88. Your instigation and participation in illegal strike has caused a loss of about 3053 tonnes production value at about Rs.8,60,200/-

You are also aware that the Government of India, Ministry of Home Affairs vide office Order No. I/11025/3/88-IS (US-011) dated 21-9-88 in exercise of powers conferred by sub-section 3 of Essential Services and maintenance Act prohibited the strike in any services of the Singareni Collieries Company Ltd. and the same was also displayed on the notice board as per letter No. P.RG(P)/1A/1252 dt. 1-10-88.

The above acts of your amount to misconduct under Company's Standing Orders 16(9) and 16(19) which read as follows:—

16(9) : Causing damage to work in progress or to property of the Company.

16(19) : Any breach of the Indian Mines Act or any other Act or of any Rules or Bye-laws thereunder or of standing orders.

You are hereby directed to explain within 3 days of the receipt of this charge sheet as to why disciplinary action should not be taken against you.”

He did not give explanation and the enquiry was follows. The enquiry was held to be invalid by this Court and it need not be referred to extensively. The evidence available on record is as follows:

Bangari Dharmaiah working in the same Coal Mine died in an accident that took place on 28-10-1988. It appears that while he was pushing the tubs at the Curve Point he was got hit by the derailed tubs after the connecting rope snapped resulting in his death on the spot. There was an enquiry by Mines Inspector, Safety. He pointed out that the coal fillers should not work at the curve at the trammings level and the trammers should alone work at the trammings point. So, the Mines Manager asked the Coal Fillers not to work at the curves point for some days. Again he asked the coal fillers of Gangs 7A and 7B to do the same work on 3-11-1988 which they refused to do. So they were not given empty tubs on that day for filling up. There is some inconsistent evidence on this aspect. Some witnesses deposed that the Mines Manager asked the coal fillers not to handle the tubs at the curves for two days and again asked them to do the work on 3-11-1988 and some witnesses denied the same. Whatever it may be, the workers working Gang Nos. 7A and 7B were not supplied with the empties and they had no work on 3-11-1988. It is not elicited as to in what circumstances these workers are to be paid fall back wages. But it is elicited that these workers in Gang Nos. 7A and 7B demanded fall back wages for 3-11-1988 as they were not supplied with empties. The payment is denied by the Management. The Management witness says that these workers sat idle on that day.

7. The petitioner-workman and other workers reported for duty as usual on second shift on 4-11-1988. The workers in Gang Nos. 7A & 7B demanded fall back wages for 3-11-1988 and it was again denied by the Management. The

version of the management is that the petitioner Thati Rajaiah and another workman by name Basani Rajaiah instigated 300 workmen in 2A Incline to strike work from that day onwards. The petitioner and the Vice President of the Association admitted the strike in the claims statements. Now they plead in evidence that there was on strike at all and the officers of the Company themselves put up the strike notice on the Notice Board, when the workers demanded for settlement of fall back wages for the previous day and settle the question of the coal fillers working at the curves. The petitioner-workman put forward a version that he is only an ordinary worker, that he was only supporting the workers of 7A and 7B gangs in their demand and that he was victimised. As stated already the petitioner-workman and the Vice President admitted in their claims statements about the strike. Now it does not lie in their mouth to say that there was no strike and officers themselves put up the strike notice on the Notice Board as of the workers struck work when they have only made demand for settlement of certain issues.

8. All the Management Witnesses have categorically stated about the part played by the petitioner-workman and one Basani Rajaiah. Both these persons first went to M.W. 3 Head Overman and asked him not distribute the work unless the dispute relating to 3-11-1988 regarding fall back musters is settled. Though M.W.3 requested them to continue to work and the issue could be settled later on, they did not heed the advice of M.W.3. The part played by the petitioner-workman was spoken to by M.W.4 Overman, M.W.2 the then Senior Under Manager M.W.5 another Overman and M.W.6 the then Manager of the Mine. They have stated at length that the petitioner-workman Thati Rajaiah himself played an active part and instigated the workman to strike work not only on that day but also continuously at the commencement of each shift from 4-11-1988 to second shift 20-11-1988 which caused loss of lacks of Rupees to the Company. Nearly 7000 tonnes of coal was not taken out. M.W.6 Agent deposed that the loss is worth of Rs. 29,32,500 towards production of coal. The present version of the petitioner-workman that he did not take any active part cannot be believed.

9. These workman or the union leaders do not remember the provisions of the I.D. Act with regard to the issuance of a notice before proceeding on strike etc., when they conduct lighting strikes and cause loss to the management, with a view to black mail the management. They remember the provisions of the I.D. Act only when their monetary demands are not met or when they are removed from service. The workman who caused such huge loss to the company do not deserve any mercy. It is also argued that though petitioner-workman Thati Rajaiah and an other workman Basani Rajaiah were charge sheeted for the same strike the other workman Basani Rajaiah was let off and the present workman Thati Rajaiah alone was removed from service. It is in the evidence that the other workman Basani Rajaiah did not play prominent role in instigating the illegal strike and so he was let off, with suspension for few days. The prominent part played by the petitioner-Rajaiah is spoken to by all the witnesses. Hence he does not deserve any sympathy or mercy.

10. In the result an Award is passed holding that the management is justified in removing the petitioner-Thati Rajaiah from service.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 5th day of December, 1996.

V.V. RAGHAVAN, Industrial Tribunal—I

Appendix of evidence

On the validity of domestic enquiry M.W.1 and W.W.1 examined and Exs. M1 to M6 marked which is part and parcel of the order on the validity of domestic enquiry.

(M.W.1 : K.B.G. Tilak W.W.1 : Thati Rajaiah)

WITNESSES EXAMINED AFTER DECIDING THE VALIDITY OF DOMESTIC ENQUIRY

Witnesses examined for the Petitioner

W.W.1 Thati Rajaiah
(recalled after D.E. and again examined on 1-1-1996)
W.W.2 Mudusu Mallesh
W.W.3 Gone Durgaiiah
W.W.4 Y. Gattaiah

Witnesses examined for the Respondent

M.W.2 P. Narasimha Rao
M.W.3 G. Goveradhan Raju
M.W.4 G. Rajaiah
M.W.5 A. Kankaiah
M.W.6 G. Appa Rao

Document marked for the workman

NIL.

Documents marked for the Respondent

Marked on the validity of domestic enquiry

Ex.M1 Appointment of Enquiry officer dt. 11-11-1988.
Ex.M2 Charge sheet dt. 10-11-1988
Ex.M3 Acknowledgement for the charge sheet displayed on the Notice Board.
Ex.M4 Enquiry Proceedings.
Ex.M5 Enquiry report dt. 17-11-88.
Ex.M6 Certified copy of the order in MP No' 1/89 in ID No. 56/84.

Marked after the validity of domestic enquiry decided
Ex.M4(a) Statement of M.W.5 in the Enquiry Proceedings Ex. M4.

Ex.M7 Relevant entry in overman book (2nd shift) book for the day 4-11-88.

Ex.M8 Office copy of the letter addressed by M.W.6 to Asst. Commissioner of Labour enclosing Form C as well as return.

Ex.M9 Overman's distribution book for GDK 2A Incline for November, 1988.

Ex.M10 'C' Register GDK 2A of Relay 'C' for the Muster of workmen who attended the duty.

नई दिल्ली, 30 दिसम्बर, 1996

का.आ. 193. --औद्योगिक विवाद अधिनियम 1947 (1947का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ब्रिज तथा छत कम्पनी इंडिया लिमि., बम्बई के प्रबंधनत्व के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, कलकत्ता के पंचवट को प्रकाशित करता है, जो केन्द्रीय सरकार को 30-12-99 को प्राप्त हुआ था।

[सं. एल-42012/8/96-आई.आर. (विविध)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 30th December, 1996

S.O. 193:--In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial disputes between the employers in relation to the management of bridge and Roof Company, (India) Ltd., and their workman, which was received by the Central Government Bombay on 30-12-96

[L-42012/8/96-IR (Misc)]

R.M. DAVID, Desk Officer

ANNEXURE

NATIONAL TRIBUNAL AT CALCUTTA

Reference No. NT-1 of 1996

PARTIES:

Employer in relation to the management of Bridge and Roof Company (India) Ltd., Bombay.

AND

Their workmen.

PRESENT:

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCES:

On behalf of Management: Mr. D. K. Ghosh, Advocate with Mr. P. Pathak, Advocate and Mr. K. S. Desai, Advocate.

On behalf of Workmen: Mr. V. N. Tayade, Advocate and Mr. R. C. Shetty, General Secretary of the General Employees Association.

AWARD

By Order No. L-42012/8/96/IR(Misc.) dated 21st June, 1996 the Central Government in exercise of its powers under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this National Tribunal for adjudication:

"Whether the Demands raised by the workmen represented by the General Employees Association, Bombay vide their letters dated 30-12-1991 and 3-10-1994 (annexed hereto as Annexures 'A' and 'B') on the management of Bridge and Roof Company (India) Ltd., Bombay are legal and justified? If so, what relief the workmen are entitled to and from what date."

2. The two letters referred to in the order of reference are dated 30th December, 1991 and 3rd October, 1994 which have been annexed to the order of reference as Annexure 'A' and 'B'. The Association's demands as per letter dated

30th December, 1991 before the management was that all the employees concerned were recruited as far back as in January 1979 and August 1989 are still being kept as temporary employees and since they have already completed 6 months period of probation, should be issued with the letters of permanency of employment from the date of joining. Besides they need to be fitted in appropriate grades and scales of pay as available in the head office and other branches and all benefits accruing to the permanent employees should be extended to them in full and with retrospective effect.

The demand as per the letter dated 3rd October, 1994 made by the Association before the management was that the workmen whose list was annexed to that letter, should be confirmed from the date of their joining and would be given their arrears of pay and other benefits from the date of their joining in the service.

In essence therefore the Association which has taken up the case of the workmen concerned demands that the workmen because of their long service to the management of Bridge and Roof Company should be regularised as permanent employees from the date of their employment and should be given the same salary and other benefits as are available to the permanent employees of their category in the head office as well as in other offices and any arrears due on that score, be made available to them.

3. The list of workmen mentioned in the letter dated 3rd October, 1994 refers to 11 employees which are as follows:

Sl. No.	Name	Designation	Date of Joining
1.	Smt. Sarbanj A. Chakraborty	Te. operator	2-5-1986
2.	Shri Shiv prasad Menon	Typist	21-4-1989
3.	Shri S.P. Unnikrishnan	Typist	11-9-1985
4.	Shri Laxhan Prasad Yadav	Peon	4-5-1979
5.	Shri Tarini Prasad Sarkar	Peon	19-12-1988
6.	Shri Sanjay Das	Peon	August, 1989
7.	Shri Bhanudas Rama Gaikwad	Peon	11-7-1985
8.	Shri Sunil Narayan Devli	Peon	29-12-1985
9.	Shri Harichandra Hiraji Patil	Peon	1-12-1983
10.	Shri V.G. Patil	Peon	5-3-1985
11.	Shri Kanchan Mhatre	Peon	9-3-1988

4. Since the demands of the Association namely General Employees Association was not acceded to by the management, this Association which is a registered as a trade union had moved the Bombay High Court by a writ petition No. 70 of 1995 for their grievances and the Hon'ble High Court of Judicature of Bombay vide its order dated 1-3-1995 directed the Central Government to refer the dispute relating to the charter of demands dated 30-12-1991 and 3-10-1994 raised by the General Employees Association, Bombay to Industrial Tribunal for adjudication and the Central Government referred that dispute to this National Tribunal at Calcutta by its order dated 21st June, 1996 which was received by this Tribunal on 25th June, 1996 indicating therein that the Tribunal should give its Award within a period of one year. Later on, however, a communication was received from the Government of India, Ministry of Labour dated 3-9-1996 received by this Tribunal on 9-9-1996 enclosing a copy of the order of the Hon'ble High Court of Judicature, Bombay dated 25th June, 1996 requiring this Tribunal to dispose of the reference within a period of 6 months.

5. Both the management of Bridge and Roof Company (India) Ltd. as well as the General Employees Association filed the written statements dated 16th September, 1996 re-

ceived by the Tribunal on 17th September, 1996 and dated 12th July, 1996 received by the Tribunal by post on 25th July, 1996 respectively. All the workmen excepting Sivprasad Menon, Typist examined themselves as witnesses on behalf of the Association and Shri S. P. Unnikrishnan, Steno-Typist later on was recalled to give evidence regarding the service particulars of Sivprasad Menon who was the typist in the same office where Shri Unnikrishnan was working as Shri Menon could not be present to depose because he was away in connection with the willness of a member of his family. From the side of the workmen only one exhibit was marked which was marked without objection. That was the letter of appointment issued to Shri S. P. Unnikrishnan as a temporary stenographer, which was dated 11-9-1985.

The management however examined three witnesses from their side. Mr. B. K. Barman, MW-1 is the Senior Industrial Relations Officer posted at the head office of the Company at Calcutta. Mr. D. K. Pal, MW-2 is the Assistant General Manager (Commercial) (West) in the Bridge and Roof Company Ltd., having its office at Bhakti Bhawan, Mumbai and Mr. A. Sarkar, who examined himself as MW-3 is the Deputy General Manager (Mechanical) (West) of the Bridge and Roof Co. functioning at Priyadarshani Building at Mumbai. Only one exhibit has been made from the side of the management which is a xerox copy of the registration certificate of the Bridge and Roof Company (India) Ltd. under the Bombay Shops and Establishment Act, 1943. Though several other documents were filed, no attempt was made from either side to make them exhibits in the case, nor they were referred to at the time of argument.

6. Except the date of appointment, most of the statements made by the workman under oath were corroborative of each other. Shri Laxhan Prasad Yadav, who examined himself as WW-1 is already 32 years of age. He joined the service of the Company on 4th May, 1979 as a Peon and still working in the said post. Admittedly the Bridge and Roof Company has the Zonal Office at Mumbai which functions in two different buildings. According to him as a Peon, he is to do the job of filing, zeroxing, dealing with tenders filed by the parties, collecting tender forms, serving tea to the staff and other jobs like despatching the letters of the Company. His work was uninterrupted since his joining in office as a peon till today, except for holidays and weekly rest days. The duty hours of a Peon is between 10 A.M. to 6.30 P.M. with only half an hour break for lunch between 1 P.M. to 1.30 P.M. Because of the pressure of work, he has to do overtime almost everyday, but the Company pays him the overtime calculated at a flat rate of 75 hours a month. He is getting a salary of Rs. 1944 including D.A. per month, which is inclusive of overtime he gets. But the Company has not created any permanent post at Mumbai even though it is available at Calcutta and all the posts of Peon at Mumbai are temporary. He stated to have been recruited on 4-5-1979 only after an interview conducted by the Senior Resident Engineer Shri Arun Kumar Mitra and Mr. Narayani Singh but no letter of appointment had been issued to him. He gets bonus every year and he is contributing to the Provident Fund, supplemented by the Company to the tune of 50 per cent and he is receiving benefits under the E.S.I. and gets two sets of uniform every year and an umbrella every two years. According to him the Peons who are working at Zonal Office at Calcutta are getting more than the Peons at Mumbai. Each of the Peons at Zonal Office at Calcutta gets around Rs. 3600 as basic including D.A. apart from getting the similar benefits that he gets at Mumbai, including 8.33 per cent of the monthly salary as bonus. Another special advantage which is given to the Peons at Calcutta are the housing loans which are not available to them at the Zonal Office at Mumbai. According to him he has read upto Class-X but has not passed the said examination but had the minimum educational qualification of Class-VIII standards which was the required qualification for the post of peon at the material time and the same qualification still continues. He had approached the management for regularisation of his service in the year 1983 and subsequently in 1989 and also onwards. The General Employees Association of which he is a member had taken up his cause in this regard. There are altogether 8 Peons in this Zonal Office at Mumbai, 4 at the office run at Priyadarshani and 4 at Bhakti Bhawan office.

He is being given attendance card and rest of the Peons are also given the similar cards. According to him no post of Peon at Mumbai office has been declared as permanent post. While the head office of the Bridge & Roof Company is situated at Calcutta, Zonal offices at Mumbai, Delhi, Madras and Baroda co-ordinate the project works under them. All these 11 persons for whom the Association has taken up the case before the management are members of the General Employees Association. This Association however has no membership at Calcutta, Delhi and other places, excepting Mumbai. Excepting one or two days, he is required to work beyond office hours on all other working days of the month and the overtime is recorded in the attendance card but as a matter of practice, notwithstanding the exact period of the overtime work rendered, he is given 75 hours of overtime per month at a flat rate. He is entitled to 30 days of earned leave every year. He had the personal knowledge from the Peons working at Calcutta regarding their salary. Prior to his coming to the Zonal Office at Priyadarshani building to work, he started his work at the Hindustan Petroleum site at Mumbai but he was not given any terminal benefit and was brought to the Zonal Office after that project was closed. He was not issued any letter requiring his option, if he wanted to be continued further in the Company or to leave the job after the closure of the project with the terminal benefits but he was brought to the Zonal Office straight away.

7. This lady worker Smt. S. Chakraborty, examined herself as WW-2 who stated that she joined the Company as a Telephone Operator-cum-Receptionist-cum-Typist on 2-5-1988 and was posted at the Zonal Office of the Company functioning at Priyadarshani Building, later on she was given the additional work of Fax Operator in around 1990. She made an application for the post and was interviewed by the then General Manager Mr. B. B. Banik, Mr. Lahiry the then Deputy General Manager and Shri Paul, the Marketing Manager. She was given to understand that she would be made permanent letter but has not received any letter of appointment since she joined. Her duty hours is between 10 A.M. to 6 P.M. with half an hour break between 1 P.M. to 1.30 P.M. for lunch and was working continuously for the last 8 years excluding the days of authorised leave and public holidays. Ordinarily, she was required to work 2 hours more beyond the schedule duty hours almost every day and paid overtime for the same but, she was given overtime at the flat rate of 52 hours every month, notwithstanding the exact hours of overtime performed by her. She was required to sign attendance register before she comes to work every day which was countersigned by the Deputy General Manager Sri Basu at the end of the month. The Payment Register is also signed by the Deputy General Manager. During all these years of her service in this Company, there was not a single occasion when she was laid-off by the Company. Answering to the question of the Tribunal, she stated that she is the only Telephone Operator in that office at Priyadarshani Building and was receiving the basic salary of Rs. 1850 per month whereas her counterparts at Calcutta are getting much more and according to her personal knowledge each of them are getting Rs. 4400 per month which she gathered from her counterparts there. She never knew that she was being appointed temporarily at the time of joining. The office at Mumbai in Priyadarshani Building is the Zonal Office and not a coordination office. At the Priyadarshani Office there are altogether 17 employees, out of which 9 are permanent and 8 are temporary. She also admitted to have getting similar benefits like housing accommodation, E.S.I. and Provident Fund as are available to the workmen Witness No. 1.

8. WW-3, WW-4, WW-5, WW-7, WW-8, WW-9, WW-10 are also working as Peons and were appointed as temporary. Their evidence regarding the condition of service are statement in corroboration of what other 2 witnesses WW-1 and WW-2 have stated, though there was a difference on the dates of appointment which has been recorded in the earlier part of this Award, excepting Bhanudas Rama Gaikwad, Peon who had stated that he had joined in June 1985 though in the list as per Annexure 'B' the letter dated 3rd October, 1994 it was shown as 11-7-1985. All these witnesses have stated that there is sufficient work in the office where they work namely at the Priyadarshani building or the Bhakti Bhawan at Mumbai which housed the Zonal Office of the Company at Mumbai and each of them is allowed 75 hours of overtime at the flat-rate every month and all of them had

the necessary qualification to get into the service and were taken to the service after interview by the officer concerned of the Company, excepting in the case of Bhanudas Rama Gaikwad WW-10 who stated that he only knew how to sign. He had joined the post of Peon at Priyadarshani building in June 1985 and has been working continuously since then. He is the person who comes first to the office to open the office premises before the work begins and goes fast after closing the doors of the office as stated by him. He had actually started his work at the Hindustan Petroleum, a project under the Company and after the completion of the work, was brought to the Zonal Office by Sri Ibrahim Thromby who was the Site-in-charge.

9. The list of 11 persons includes one Sivprasad Menon a Typist and Sri S. P. Unnikrishnan the Steno Typist and the latter had been examined as WW-6. He had filed this Ext. W-1 his letter of appointment showing that he was appointed temporarily by order dated 11-9-1985 as a Stenographer and was orally promised by Shri Hingorani his superior in the office that he would be made permanent after 6 months but actually nothing was done. According to him his duty hours was between 10 A.M. to 6 P.M. and was entitled to overtime calculating 70 hours per month at a flat rate and no typist at Priyadarshani building was permanent whereas there was one permanent Typist at Bhakti Bhawan whose name was Muralidharan. Like all other employees concerned in this case, he admitted that he is a member of the General Employees Association which has raised the demand for their permanency. According to him even though the working hours on Saturdays come to end at 2 P.M., he was required to work upto 6 P.M. on Saturdays. Whereas he was getting a monthly consolidated salary of Rs. 1975 per month only with an increment at the end of every year by which process his initial salary of Rs. 750 consolidated, had thus come to Rs. 1975 per month at the moment, the permanent typist at Bhakti Bhawan used to receive Rs. 4500 per month being his basic including D.A. who receives also the same benefits as this witness gets. Whereas he was only entitled to 70 hours of overtime at a flat rate, the permanent one gets overtime wage on the actually overtime performed by him. The permanent typist according to him apart from getting LTA, CCA, Housing Loan, medical facilities also receives Rs. 550 per day as lunch allowance. It is also admitted by him that the General Employees Association has its members only at Mumbai and do not have any members at Calcutta, Howrah or any other offices of the Company. According to him, he had taken the training of stenography and had a speed of was 80 words per minute at the time of joining the service. Speaking about Sivprasad Menon, Typist he stated that he had passed S.S.L.C. examination at Kerala and he was interviewed by the A.C.M. before appointed. At the moment, he was getting Rs. 1645 per month as consolidated salary which only gets an increment every year. He also stated both Sri Menon and himself were contributing to the Provident Fund, getting benefits under E.S.I. bonus and were given accommodation. He stated that Sri Menon had passed the examination having speed of 40 words per minute typing and was working in the same office at Priyadarshani building. According to him Sri Menon had made representation in writing for permanency in the year 1995 and both he and Sri Menon are allowed to 30 days of earned leave every year.

10. From the deposition of all the witnesses, it is quite clear that they come to be appointed only on interview by the superior officers of the Company but their names have not been sponsored by the Employment Exchange, nor did they apply for the post pursuant to any advertisement in the Newspaper.

11. The management has already stated had examined of their senior officers as its witnesses. Mr. B. K. Barman, Senior Industrial Relation Officer posted at Calcutta Head Office was examined as MW-1. According to him the Company had Zonal Officers at Mumbai, Madras, Baroda and Delhi which are coordinating offices exclusively for projects, whereas they had workshop at Howrah and the Company had projects all over India and is a government of India enterprise. They undertake civil and mechanical projects, such as laying pipes for petroleum and similar products and construct bridges. They undertake projects which are bound to be completed within the stipulated time and to look after these projects which lies throughout the territory of India.

they have four Zonal Offices at Mumbai, Delhi, Baroda and Madras. The Zonal Office is held in two different buildings i.e. Priyadarshani and Bhakti Bhawan at Mumbai. According to him in the Zonal Offices they have 3 categories of employees, Officers, Staff and Sub-staff. Some are temporary and some are permanent and the Mumbai office which is Zonal Office is registered under the Bombay Shops and Establishment Act, 1948, which they have produced as Ext. M-1. The Company pays minimum wages to the employees at Mumbai under the said Act of 1948 which at times comes to be more than the wages under the Minimum Wages Act. Regarding the purchases, unless it is a major purchase, requiring sanction of the Head Office, the minor purchases can be made by the Zonal Office. He admitted that the Zonal Office had never sat idle without any work but the volume of work is dependant on the projects in hand. The Zonal Offices according to him, have to supervise the project works. Answering to the Tribunal, this witness stated that the Calcutta Head Office looks after all the projects at the same time as well as the workshop at Howrah. Since Howrah workshop is facing financial problems, the Company was in a bad condition with the Howrah workshop and 350 workmen accepted the voluntary retirement under a scheme, while 800 workmen are still working in the workshop. At the Calcutta Head Office, there are altogether 125 employees including officers and some of them are temporary and some of them are permanent. It is admitted by him that the General Employees Association has its members only at Mumbai and not outside Mumbai. There are two other Unions at Calcutta and Howrah of this Company called Bridge and Roof Workers Union (CITU) and Bridge and Roof Employees Union (INTUC) with whom there was a settlement made between the management and themselves when an agreement had been arrived at regarding the service conditions of the employees working there. Since it was a Government of India enterprise, the Company used to advertise in the newspaper and when there are applications, the workmen were appointed after interview. When they apply directly or sponsored by the Employment Exchange, all of them are interviewed and thereafter selection is made. According to him all the 11 persons concerned were not sponsored by the Employment Exchange or made any application pursuant to any advertisement. This witness however admits that the Company started as a registered Company but was under the Goenkas after the independence and he could not say on which year the Government took-over the Company, Balmer Lawrie and Indo-Burma Petroleum Company but it became a Government Company later. However, at the moment the Company is a subsidiary of Bharat Yantra Nigam Ltd. since 1989. The Zonal Office at Mumbai was created 15 years back to supervise the projects undertaken by the Company. The Typists, Steno, Telephone Operators are staffs whereas the Peons are called sub-staff. He admitted that permanent staff of the Head Office may be sent to the Zonal Office from the Head Office and staffs of the Zonal Offices may be sent to the Head Office on transfer. Same system also applies to the sub-staff. He also admitted that the Zonal Office for the Eastern Region is situated in the same building of the Head Office and the employees working in the Zonal Office are treated as the employees of the Head Office. There is no laid down procedure for making the temporary staff/substaff permanent but during the last 10 years some of the temporary staffs and sub-staffs have been made permanent. Even though there are some staffs and sub-staffs recruited during the last 4 or 5 years for the service of the Company he could not say if they were taken from the Employment Exchange or through advertisement but these temporary staffs and sub-staffs are still continuing there. He also admitted that as far as his knowledge goes there is no decision taken by the Company to close down the Mumbai Zonal Office. He admitted that the services of these 11 persons concerned in this case have never been interrupted. The Zonal Office, according to him, looks after the P.F. deduction and E.S.I. of the 11 persons mentioned in the reference. According to him a permanent Peon of the Company gets about Rs. 3000 per month including basic and D.A. as well as 5 per cent house rent allowance under the Tripartite settlement. For the fresh recruits, the total including the house rent comes to Rs. 3350 per month. He admitted that there is a permanent Driver in the Zonal Office, West, at Mumbai but could not say if he was employed pursuant to an advertisement or being sponsored by the Employment Exchange. The settlement he referred to was signed in the year 1992 and covered the period 1992 onwards. Prior to the

Zonal Office at Mumbai and other three places the projects were controlled by the head office. All the officers at the Head Office look after the project work. He had no idea if there was any set rule for recruitment for the staff and sub-staffs of the Company. But the Company follows the Government directions in recruiting them either by inviting names from the Employment Exchange or by an advertisement in the newspaper but this was in respect of permanent employees and not for the temporary staffs and sub-staffs and could not say what is the duration of the period for which of Company has not worked out what would be the quantum of burden the Company is to bear if these 11 persons are made permanent.

12. Mr. D. K. Pal examined himself as MW-2 is the Assistant General Manager (Commercial) (West) and sits at Bhakti Bhawan Building. This witness has virtually corroborated the statements that has been stated by MW-1 regarding the period of office hours and the overtime that is paid. He has also admitted that nobody has been laid-off by the Company during his tenure in the office which he started three years back. He also admits that he leaves office at 6.30 P.M. He mentioned that the Peons are sent out to book railway tickets etc.

13. Mr. Sarkar the Deputy General Manager (Mechanical) (West) sitting at Priyadarshani building office was examined as MW-3. He stated that Mumbai office is devoted only for processing tenders which are sent for finalisation to the Head Office at Calcutta. Apart from this, it also does the job of coordination of the projects in the Western Region. According to him the Company gives benefits to its employees under the Bombay Shops and Establishment Act by providing holiday for every 48 hours of work and asking for 8 hours of work every day. He however admitted that there is one Muralidharan who is a permanent Accounts clerk-cum-typist at the Mumbai Office one Munshi Kurian who is a permanent Driver. He also refers to Gobind Prodhan who is working as Electrician-cum-Mechanic and work at the project site but nevertheless is a permanent workman, so also one Adinath Singh a Store-keeper at Navotna site who is also permanent staff. Similarly one Ramananda Singh, Accountant working at Uran site is made permanent. According to him nobody of this Priyadarshani building office had never been laid-off.

14. The management challenges the claim of the workmen on various grounds, which are as follows :

- (a) The Union namely the General Employees Association, Bombay has no locus standi or representative character to represent these workmen in question. Accordingly, the dispute raised before the Tribunal cannot be treated to be an industrial dispute and the reference under section 10(1)(d) of the Industrial Disputes Act, 1947 was incompetent.
- (b) The workmen should not have any grievance as the Company pays wages appreciably higher than the wages prescribed under the Minimum Wages Act for the commercial establishments in the state of Maharashtra.
- (c) None of the workmen concerned have been recruited against a permanent post, nor the workmen had been recruited against work which is permanent in nature, thereby not justifying their permanency in the post.
- (d) The claim of the workmen for permanency is not sustainable because of the fact that the concerned workmen were not deployed through regular procedure.
- (d) The wage that is given to the workmen working at the Calcutta Head Office and the workshop at Howrah could not be

claimed by the present employees of the Mumbai Zonal Office as the employees working in the head office and the workshop at Howrah are permanent employees and are governed by the settlements between the management and the local unions.

- (f) Since the workmen concerned are doing work connected with the projects, their engagement are made to be temporary and there is no scope for making them permanent.

Each of these points has to be considered taking into consideration the facts borne out in the evidence.

15. All the workmen who are examined, have categorically stated that all of them are members of the General Employees Association which had taken up their case before the Hon'ble High Court of Judicature, Bombay and there was no other union existing in the field in Mumbai. The trade union is a registered one, as is borne out from the workmen's evidence. The General Employees Association having taken up the cause of these workmen filed the Writ Application No. 578 of 1996 before the Hon'ble High Court of Judicature, Bombay where the Bridge and Roof Company (India) Ltd. was the respondent. On the direction of the Hon'ble High Court the Central Government in the Ministry of Labour has referred this matter to this National Tribunal at Calcutta. Obviously the two parties before this Tribunal in respect of this reference case are the General Employees Association and the Bridge & Roof Company (India) Ltd. This answers the locus standi of the General Employees Association to be heard in this case canvassing the cause of the workmen concerned and cannot be denied.

16. Of the several judgments referred to by the management, are confined to their own facts and does not have any bearing on this case. In the case of Workmen of Indian Express Newspaper Pvt. Ltd. and the management of Indian Express Pvt. Ltd. reported in 1970(II) LLJ 132 the facts were very much different. The dispute related to the question in that case as to whether two workmen who are described by the management as Copy Holders in July 1959 would be treated as Proof-readers, was referred or adjudication at the instance of the Delhi Union of Working Journalists. Out of the 68 working journalists working at Delhi under the management, only 17 met on 15-11-1960 and espoused the cause through the Delhi Union of Working Journalists, which by its executive committee's resolution decided to take up the cause of the two workmen (underlining is made for emphasis). The evidence was led to show that 31 working journalists under the management became members of the Union after July 1959. The Tri-

bundal disbelieved that the 17 workmen actually met on 15-11-1960 and further held that the number was not appreciable one out of 68 working journeymen employed under the respondent's establishment to convert the dispute into an industrial dispute as the 31 workmen only joined the Union much later.

In the present case it is not the fact. The management had never led any evidence to show that this particular Association did not have the appreciable number to represent the workmen and what was exactly the total number of employees of the categories concerned. Mere allegation in the written statement without any prima facie proof do not shift the burden on the Association. On the other hand all these workmen stated that their case were taken up by the Association and no other Association was there in the field. To add to this, WW-1 Sri L. P. Yadav has stated in his evidence that all these 11 persons concerned in this case and named in the schedule are members of the General Employees Association which has sponsored this case. Therefore there was positive evidence on the point of appreciable number of workmen in raising the dispute through the Association which obviously gives this dispute the character of an industrial dispute and does not allow it to be treated as an individual dispute. A reference can be made in this regard to Tirupati Cotton Mills Ltd. V. Labour Court, Guntur & Others reported in 1968(II) LLJ 723.

The report of reference made to this Tribunal shows that the present Association had made the demands as contained in their letters dated 30 December 1991 and 3rd October, 1994 which has been sent to this Tribunal for adjudication at the direction of the Hon'ble High Court of Judicature, Bombay. I accordingly hold that this Association was competent to raise this dispute and as such gave the characteristics of an industrial dispute to the present dispute.

17. From the evidence led by the workmen as well as by the management, it is admitted that the Head Office of the Company situated at Calcutta also controls the workshop at Howrah. Since the Company undertake project works throughout India, both civil and mechanical in nature, for the convenience of its administrative functions the Company created four Zonal Office in the four different regions. The Zonal Office for the Eastern Region is situated at Calcutta and is housed in the same building where its Head Office functions. To look after the projects in the Western India, the Zonal Office is situated at Mumbai and housed in two buildings i.e. in Priyadarshani Building and Bhakti Bhawan. Similarly to look after the projects in southern region, the Zonal Office is situated in Madras and there are two other Zonal Offices one at Baroda and one at Delhi. These offices situated at Mumbai or in the other places named are not actually created temporarily and the offices at

Mumbai and Delhi have been created 15 years back but for Madras and Baroda they were created only 5 years back. They are continuously functioning notwithstanding the closure of different projects undertaken as from time to time. Various projects are taken up and there are project site offices at the working site of the projects, but the Zonal Offices are created and meant to look after the smooth functioning of these projects and do the coordination work. Mumbai Zonal Office therefore cannot be treated to be the project-site office but be treated as a part of the head office functioning at Mumbai for administrative convenience.

18. MW-1 who is a Senior Industrial Relations Officer further stated that the Zonal Offices never sat idle without any work at any time. Answering to the Tribunal this witness stated that the Calcutta Head Office looks after all the projects as well as working of the workshop at Howrah. No evidence has been led to show that these Zonal Offices were only created temporarily or are going to be closed because of the paucity of fund or lack of finance. The day to day administration is done at the Zonal offices without awaiting any instruction from the Head Office but the policy decision is always taken at the Head Office at Calcutta regarding finance. In the cross examination this witness stated that there is on laid down procedure for recruiting temporary staff or sub-staff. He clarified and stated that Peons belong to the sub-staff and the classifies Steno, Steno-typist, Telephone Operator belong to the category of staff. It is his further evidence that the Zonal Office for the Eastern Region is situated in the same Head Office and the employees working in the said Zonal Office are treated to be the employees of the Head Office. The evidence of the other two witnesses do not modify or qualify these statements and because of these statements, there remain no doubt that these Zonal Offices are not created temporarily for specific purpose but are permanent Zonal Offices working under the ultimate control of the Head office, notwithstanding number of projects they undertake, though the volume of work of the Zonal Office may be variable depending on the number of projects in hand. But by looking to the evidence of the workmen which is not challenged by the management, rather have been accepted by the management in the statements of their own witnesses that all the employees were allowed to work more than their scheduled hours of work and are paid overtime wages at a flat rate. That being the situation, it is unconceivable that these Zonal Offices are likely to be shut down because of dearth of work. The evidence of the workmen goes to show that the Peons even though are to close their day's work at 6 P.M. are allowed to continue till 8 P.M. or 9 P.M. almost every day, so also the Telephone Operator and Steno-typist and Typist who also work beyond the office hours. This being the position, the management cannot shut its responsibility to treat these work-

men discriminatorily in their status as well as pay. Admittedly all these workmen have worked for more than 7 years and some for more than 10 years and in case of Lakhan Prasad Yadav who has put in more than 16 years of service.

19. In the case of Daily-rated Casual Labour employed in the P & T Department through Daktar Mazdoor Manch v. Union of India and others reported in 1987(I) LLJ 370, the Hon'ble Supreme Court had held :

"It is against this background that the non regularisation of the temporary employees or casual labours for a long period is not a wise policy. We, therefore, direct the respondent to prepare a scheme on a rational basis for absorbing as far as possible the casual labours who have been continuously working for more than one year in the Post & Telegraphs Department."

20. The management tried to lead evidence to show that in some of the cases the workmen did not make any demand in writing to the management for their grievance but the Madras High Court in the case of management of Niddle Industry and Presiding Officer, Labour Court, Coimbatore, reported in 1984(I) LLJ 405 has held that non-demand by the workmen before the management, would not be a bar for making grievance under the dispute.

21. In the matter of regularisation, different High Courts and the Hon'ble Supreme Court have dealt the point in many cases. In the case reported in 1986(I) LLJ 405, the Hon'ble Supreme Court held the daily wage employees under the CPWD who had been in the continuous employment for more than 6 months would be regularised. In the Daily rated casual workers under the P & T Dept. referred to earlier in this Award (supra) the Hon'ble Supreme Court held that when no sanctioned post available and regularisation could not be ordered but at the same time the Hon'ble Supreme Court expressed the view that when the organisation has been in existence for the last 4 years, the Central Government should not continue to employ these persons on casual basis and the posts should be created to absorb them on regular basis.

In the case of U.P. Income Tax Department Contingent Paid Staff Welfare Association and the Union of India & others reported in 1988(I) LLJ 369 the Hon'ble Supreme Court directed that the workmen who have continuously worked for more than one year are to be regularised. In that case however as a matter of fact the workmen were nearly worked for 8 years and more.

In another case between the General Secretary Bihar State Road Transport Corporation v. Presiding Officer, Industrial Tribunal, Patna and others reported in 1988(II) LLJ 109 the Hon'ble Supreme Court directed to prepare a scheme for regularisation of casual workers and directed the salary and allowance equal to the minimum basic scales or regularly employed persons in the corresponding cadre. In this case the employees were Drivers, Conductors and Cleaners of the Bihar State Road Transport Corporation, who have worked continuously for 8 to 12 years.

The cases are not few on this point, even in a case reported in 1990(II) LLJ 320 at page 322 a three years period was held to be sufficient, requiring the management to regularise the workmen.

22. These workmen who are now before this Tribunal are obviously brought to the establishment of the Company and there can be no two different standards in payment of their salary. The workmen have examined themselves to say that they do their jobs as are assigned to them which are virtually similar type of job that is done at Calcutta. The Management Witness No. 1 has also stated that the employees of the Zonal Office of the Eastern Region also treated to be the part of the Head Office. In such view of the matter, there cannot be any rational basis to hold that the workmen working at Mumbai Office, who are before this Tribunal are not entitled to get the same pay as their counterparts get at Calcutta. It may be true as has been stated by the management witnesses that the increase in salary at Calcutta are done because of the settlement arrived between the management and the local unions but once the salary of the Peons, Typist, Steno-Typist and Telephone Operator are increased under any settlement in a particular office of the Company, that cannot be denied to their counterparts in other part of the establishment. Accordingly, all these workmen in this reference case are entitled to succeed in their claim in getting the same wage that are being made available to their counterparts in the Calcutta Head Office.

23. In the present case, all these workmen were appointed temporary and not casual workers. The posts against which they are working are continuing to exist since its inception till today, each covers a period 10 to 15 years and there is no evidence that their is possibility of the posts to be abolished and no evidence has been led in that regard also. In such view of the matter, the demand of the workmen must succeed and these workmen must be regularised in the posts which they hold and shall get the same scale of pay, Dearness Allowance and other benefits which are available to their counterparts at the head office at Calcutta from the date it is made available to them under the settlement. The arrears be paid to each of these workmen

within a period of 6 months from the date of publication of the Award.

24. Coming to the submission of the management that these employees who now demand regularisation/permanency, had not been regularly recruited and should not be given the same pay and D.A. and benefits which are available to their counterparts in Calcutta, they having been appointed on different places, these matters have already been considered by the Hon'ble Supreme Court in the Daily-rated casual labour employed under the P & T Department etc. v. Union of India and Others (supra) wherein the Hon'ble Supreme Court stated in paragraph 7 of the judgement as follows :

"....It may be true that the petitioners having not been regularly recruited but many of them have been working continuously for more than a year in the department and some of them have been engaged as casual labours for nearly 10 years. They are rendering the same kind of service which is being rendered by the regular employees doing the same type of work. Clause (2) of the Article 38 of the Constitution of India which contains one of the directives of the State policy provides that "the state shall in particular, strive to minimise the inequalities in income, and endeavoured to eliminate the inequality in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas of engaged in different vocations....."

25. In the facts of the present case, there is another factor in favour of the workmen which is very pertinent. It is the management's case that there was no definite procedure for recruitment of the temporary staffs and sub-staffs and there is no definite period for which these temporary staffs can be appointed. Would the social justice therefore be available to a workman who is appointed as a temporary staff continuously for 10 years and then denied the permanency on the ground that his initial recruitment was not in accordance with the procedure meant for the recruitment of the permanent employees. Such an interpretation would permit exploitation of labour and should be denied by the Industrial Tribunals.

The reference is answered accordingly.

Dated, Calcutta,

The 24th December, 1996.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली 31 दिसम्बर, 1996

का.आ. 194 — औद्योगिक विवाद अधिनियम: 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापटनम पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्विष्ट औद्योगिक विवाद में औद्योगिक अधिकरण विशाखापटनम के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 31-12-96 को प्राप्त हुआ था।

[सं 0 एन-34012/4/93-आईआर (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 31st December, 1996

S.O. 194.—In pursuance of Section 11 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Visakhapatnam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workman, which was received by the Central Government on 31-12-1996.

[No. L-31012/4/93-JR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT VISAKHAPATNAM

PRESENT :

Smt. G. Jaishree, B.Sc., LL.M., Chairman and Presiding Officer.

Thursday, the 28th day of November, 1996

I.T.I.D. No. 5/94 (Central)

BETWEEN

The General Secretary,
Port and Dock Employees Association,
14-25-32A, Dandu Bazzar,
Maharanipeta, Visakhapatnam-2 ..Workman.

AND

The Chairman,
Visakhapatnam Port Trust,
Visakhapatnam ..Management

This dispute coming on for final hearing before me in the presence of the workman in person and the management in person, upon hearing the arguments of both sides the court passed the following :

AWARD

1. In this case the Government of India referred the dispute under Section 10(1)(d) of the I. D. Act in the following terms :

"Whether the action of the management of Visakhapatnam Port Trust in awarding multiple punishment on Sri P. Appa Rao, Driver (MV), Gr-I for subletting the quarter by giving lesser punishment to his co-workers committing the same offence is justified ? If not, to what relief the workman concerned is entitled to ?"

2. Claim statement is filed by the workman, the brief averments of which are that he submitted his explanation to the charge of subletting the official quarter stating that he permitted his friend to stay in his quarter and there upon punishment is imposed on him reducing his pay by one stage to Rs. 1,055 from Rs. 1,905 in the time scale of pay of

Rs. 1,190—2005 after giving show cause notice. The appellate authority also confirmed the same and the conciliation failed. The workman challenged this punishment on the ground that for a single charge he is inflicted with triple penalty such as (1) Cancellation of allotment of quarter permanently (2) Recovery of heavy amount of penal rent for such period of let out and (3) Reduction of pay by one stage for one year with cumulative effect, which would have a financial loss throughout his service career and thus, the management violated the article 20(2) of the constitution of India providing guarantee against Double Jeopardy. It is further pleaded that in similar cases of Nakka Apparao and Sri Sahu a lighter penalty of stoppage of increment for one year without cumulative effect is imposed and thus, violating the equality before law and equal protection of Laws as enshrined under Article 14 of the constitution. It is also pleaded that the punishment is disproportionate to the charge levelled against the workman.

3. Counter is filed by the respondent mainly stating that regulation 15 of Visakhapatnam Port Employees (Allotment of residence) Regulations, 1968 prohibits subletting of residence provided by the management to any person unauthorisedly by an employee and as per Regulations 3 of Visakhapatnam Port Employees' (conduct) Regulations, 1964, every employee shall at all times maintain absolute integrity and devotion to duty. Regulation 21 of Visakhapatnam Port Employees (allotment of residences) Regulations, 1968 provides for cancellation of the allotment if the employee sublets the residence allotted to him or any portion thereof without prejudice to any other action that may be taken against him and for collecting enhanced rent not exceeding four times of the standard rent under F.R. 45(A). The contravention of these regulations also contemplates barring future allotment of accommodation to the delinquent employees. Thus, it is pleaded that the action taken by the management is legal and the punishment is justified having regard to the seriousness of the offence. Meeting the allegation of lighter penalty in similar other cases, it is stated that in the case of Nakka Apparao the charge was unauthorised operation of Port Quarters allotted to another employee and in the case of Sri Sahu, the penalty of reduction of pay by one stage for one year without cumulative effect on his future increments was imposed. But not the stage of increment for one year without cumulative effect as alleged by the petitioner. Thus, it is pleaded that the facts of each case are different and there is no question of discrimination. Ultimately, it is pleaded that the punishment imposed is proportionate and justified and the petitioner is not entitled to any relief.

4. No oral evidence nor documentary evidence is produced by either side. But both sides filed written arguments. Memo is filed by the counsel for the petitioner stating that there is no domestic enquiry conducted in this case and therefore the question of challenging the domestic enquiry proceedings does not arise. Perused written arguments filed by both sides.

5. The points that arise for consideration are :

- (1) Whether the punishment imposed on the workman is justified ?
- (2) To what relief is the petitioner entitled ?

6. Point No. 1.—The workman is charged for the misconduct of subletting the quarter allotted by the management and in his explanation to the charge memo the workman admits that he allowed his friend to stay in the said quarter. On this admission, show cause notice was issued and the punishment of reduction of his pay by one stage to Rs. 1,855 from Rs. 1,975 in the time scale of pay of Rs. 1,190—Rs. 2,005 for a period of one year with cumulative effect on his future increments, is imposed on him. The workman challenges this punishment on two grounds i.e. (1) Double Jeopardy and hit by article 14 of Constitution of India. (2) Discrimination and hit by article 14 of Constitution of India. Regarding the first ground it is stated in para 10 of the claim statements that for a single charge of letting out the Port Quarter allotted to the workman to an outsider unauthorisedly, he was indicated with triple penalties such as (1) Cancellation of allotment of quarter permanently (2) Recovery of heavy amount of penal rent for such period of letout and (3) Reduction of pay by one stage for the year with cumulative effect. It is stated that by inflicting triple penalties, the management violated the provisions of article 20(2) of Constitution of India, providing against double Jeopardy.

Meeting this allegation, it is stated in the counter that, Regulation 15 of Visakhapatnam Port Employees (Allotment of residence) Regulations, 1968 prohibits subletting of official residential quarter provided by management to an employee, to any person unauthorisedly and the consequences of violation of this provision are provided by Regulation 21 of these regulations, which stipulates cancellation of the allotment and collection of enhanced rent as provided therein without prejudice to any other action that may be taken against an erring employee. Thus, it may be noted that the concerned regulations relating to allotment of residential premises to the employees provides for the consequences of subletting the premises by authorising the management to cancel the allotment and collecting enhanced rent for the let out period. These provisions only provide a remedy to the management in case of unauthorised subletting with a view to make up the loss sustained by the management by such action of the employee and gives them power to withdraw the amenity provided to the employee and the same are not in the nature of punishment. Further, these provisions are made without any prejudice to any other action that may be taken against the workman. This action of the workman involves dishonesty and lack of integrity on his part and the same violates Regulation (3) of Visakhapatnam Port Employees (conduct) Regulations, 1964 which stipulates that every employee shall at all times maintain absolute integrity and devotion to duty. The workman herein is liable for disciplinary action for violating Regulation 3 of Conduct Regulations, by subletting the official residence unauthorisedly which involves lack of integrity on his part. Any punishment imposed for this misconduct becomes the punishment imposed on the workman for this misconduct and anything done in respect of the premises under the concerned regulations like cancellation of the Allotment, collection of enhanced rent etc. will no amount to punishment. Thus, I come to the conclusion that the workman is not being inflicted double punishment in this case and there is no violation of guarantee against double jeopardy provided by Article 20(2) of Constitution of India.

7. It is next pleaded by the workman that the management had shown discrimination between one workman and another in awarding punishment for the same offence. In this respect, it is mentioned in the claim statement that one Nappa Apparao and one Sahu, both employees of the management are awarded punishment of stoppage of increment for one year without cumulative effect and in the written arguments the names of one V. Davit Raju and N. Appa Rao are mentioned who are inflicted with the same punishment as the above two persons for the same offence of subletting the official premises. It is stated that only in the case of workman he is inflicted with the punishment of reduction of pay by one stage with cumulative effect, whereas the other workman for the same offence are inflicted with the punishment of 'without' cumulative effect, therefore there is discrimination and the punishment inflicted on the workman may be reduced to the one without cumulative effect. But in the counter and in the written arguments filed by the management it is pleaded that the facts of the cases of those workmen are different though the misconduct alleged is the same. Thus, the workman cannot allege any discrimination in inflicting the punishment in as much as the facts may be different though the offence alleged may be the same. The management may have different considerations in each case having regard to the period of subletting etc. The question of quantum of punishment depends upon the seriousness of facts in each case and the delinquent has no right to claim any uniformity in respect of the same. Thus, I do not find any violation of the article 14 of the Constitution of India in imposing the punishment on the workman herein.

8. It is next contended that the punishment is harsh and not justified. But I do not see any force in this contention. The misuse of amenity provided by the management is a serious misconduct and having regard to the nature of this misconduct, the punishment of reduction in the pay scale by one stage for one year with cumulative effect is proportionate and the same is warranted and justified in the circumstances. Accordingly, I hold on this point that the punishment imposed on the workman is justified and the same does not call for any interference.

9. Point No. 2.—In view of my findings on point No. 1 above, the workman is not entitled to any relief in these proceedings.

10. In the result, award is passed answering the reference as follows :

"The action of the management of Visakhapatnam Port Trust in awarding punishment on Sri P. Apparao, Driver (MV) Gr-I for subletting the quarter, reducing his pay to Rs. 1,855 from Rs. 1,905 in the time scale of pay Rs. 1190-2005 for a period of one year with cumulative effect on his future increments, is justified and the workman is not entitled to any relief in these proceedings."

Dictated to and transcribed by her given under my hand and seal of the court this the 28th day of November, 1996.

G. JAISHREE, Chairman and Presiding Officer
Industrial Tribunal-cum-Labour Court,
Visakhapatnam.

Appendix of Evidence in I.T.I.D. No. 5/94 (C)
None of the witnesses are examined on either side.
No documents are filed on either side.

G. JAYSHREE, Chairman and Presiding Officer
Industrial Tribunal-cum-Labour Court,
Visakhapatnam.

नई दिल्ली, 6 जनवरी, 1997

का.आ. 195 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी.सी.सी. एल. का भगतडीह कोलियरी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 1, धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-12-96 को प्राप्त हुआ था।

[संख्या एल-20012/64/92-आईआर(सी-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 6th January, 1997

S.O. 195.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bhagtdih Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 24-12-1996.

[No. L-20012/64/92-IR (C-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I AT DHANBAD

In the matter of a reference under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947

Reference No. 76 of 1993

PARTIES :

Employers in relation to the management of East Bhagtdih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. P. Singh, Secretary Khan Mazdoor Congress.

STATE : Bihar

INDUSTRY : Coal

Dated, the 17th December, 1996

AWARD

By Order No. L-20012/64/92-I.R. (Coal-I) dated 22-2-1993 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of East Bhagtdih Colliery of M/s. Bharat Coking Coal Ltd., Dhanbad is justified in not promoting the workman Shri Guru Das Sarkar, Overseer (Civil) from grade 'C' to Grade 'B' and from grade 'B' to grade 'A' etc. after completion of two years in grade 'C' and 3 years in grade 'B' respectively as per management's Circular No. BCCL/PA-II/512/226/81-247 2(A) dated 21-7-84 ? If not, to what relief the workman is entitled and from what date ?"

2. Both the parties agree that the demand of the concerned workman has been fulfilled by the management vide their Office Order No. Ref. : Alk/PA/95/7/Settlement/431 dated 16/22-6-95 and there exists no dispute between the parties.

3. In such circumstances, I pass a 'No Dispute' award in the present reference case.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 7 जनवरी, 1997

का.आ. 196.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-1-97 को प्राप्त हुआ था।

[संख्या एल-12012/78/95-आईआर(बी-II)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 196.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Union Bank of India and their workmen, which was received by the Central Government on 1-1-1997.

[No. L-12012/78/95-IR (B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 104 of 1995

In the matter of dispute :

BETWEEN

Shyam Sunder Choubey
S/o Late Shri Harbans Choubey
Vill. Ghughunda P.O. Patrahi
Distt. Jaounpur.

AND

Dy. General Manager,
Union Bank of India
Zonal Office Sharda Towers

Block No. 7 Kapoorthla Complex
Aliganj, Lucknow.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-12012/78/95-I.R. (B-II) dated 25-8-95 has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Union Bank of India, Patrahi branch, Zonal Office, Lucknow in terminating the services of Shri Shyam Sunder Choubey daily wage workman w.e.f. 8-7-93 is legal and justified? If not to what relief is the said workman entitled?"

2. It is unnecessary to give full facts of the case as after exchange of papers neither the concerned workman nor the Au. Rep. of the workman turned up in the case despite issue of notice. It thus appears that the workman concerned is not interested in the case.

3. In view of above, reference is answered in affirmative for want of proof. Consequently concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 जनवरी, 1997

का. प्रा. 197.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ राजस्थान, नई दिल्ली के प्रबन्धतन्त्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या एल-12011/49/93-आई. प्रार. (बी-III)]

ब्राज मोहन डेस्क अधिकारी

New Delhi, the 9th January, 1997

S.O. 197.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Rajasthan, New Delhi and their workman, which was received by the Central Government on 2-1-1997.

[No. L-12011/49/93-IR (B-III)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 15/94

In the matter of dispute :

BETWEEN

Shri Rajgopal and Others through
Akhil Bhartiya Bank of Rajasthan
Karamchari Sangh.

Versus

Bank of Rajasthan C/o
Regional Manager, Gurudwara Road,
Karol Bagh, New Delhi-5.

APPEARANCES :

Shri Heera Singh—for the workmen.
Shri L. C. Garg—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12011/49/93-I.R. (B-III) dated 28-1-94 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the claim of the Akhil Bhartiya Bank of Rajasthan Karamchari Sangh that S/Shri Rajgopal, Satish Kumar and Radhey have been denied proper pay scales and other benefits by the management of Bank of Rajasthan Ltd. is justified? If so, to what relief the workmen are entitled?"

2. Both the parties had agreed for inspection of the site in order to ascertain in the number of working hours on the basis of the inspection report. The chart Ex. M-1 was filed by the management and the workmen Union accepted the chart Ex. M-1 and stated that the claim for rent of the money be dismissed. The Management representative also agreed to this. In view of this situation it is ordered that the payment according to the chart Ex. M-1 be made to the workmen and, therefore, claim for rest of the amount/points is dismissed. Parties shall bear their own costs, of this dispute.

Dated : 26th December, 1996

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 जनवरी, 1997

का. प्रा. 198.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ राजस्थान, नई दिल्ली के प्रबन्धतन्त्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या एल-12011/8/91-आई. प्रार. (बी-III)]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 9th January, 1997

S.O. 198.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Rajasthan, New Delhi and their workman, which was received by the Central Government on 2-1-97.

[No. L-12011/8/91-IR(B-III)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 38/91

In matter of dispute

BETWEEN

Smt. Khajani Devi & others through The Delhi State Bank Workers Organisation and All India Bank of Rajasthan Karanchari Sangh, Delhi & Northern Indian Branches Union, 828, Nai Sarak, Chandni Chowk, Delhi-7.

Versus

The Management of Bank of Rajasthan Ltd. Regional Office, Karol Bagh, New Delhi.

APPEARANCES, None for the workman

Shri L.C. Garg for the Management

AWARD

The Central Government in the Ministry of Labour vide its Order No.L-12011/8/91-I.R.(B-3) dated Nil has referred the following in industrial dispute to this Tribunal for adjudication: --

"Whether the action of Zonal Manager, Bank of Rajasthan Limited, Zonal Office, New Delhi in not giving the salary to all the nine employees named below, employed in 8 different branches of the bank as part-time sweepers is legal & valid? If not to what relief the workmen are entitled to?"

1. Smt. Khajani Devi
2. Smt. Ramoo Devi
3. Smt. Saroj
4. Smt. Dhanpati Devi
5. Shri Jai Bhawan
6. Smt. Kamlesh Devi
7. Smt. Vinod
8. Smt. Sumitra Devi
9. Smt. Charan Kala

2. Both the parties had agreed for inspection of the site in order to ascertain the number of working hours on the basis of the inspection report the Chart Ex. M-1 has filed by management and the Workman union accepted the chart Ex.M-1 and stated that the claim for rest of the money be dismissed. The Management Representative also agreed to this. In view of this situation it is ordered that the payment according to the chart Ex.M-1 be made to the workman and, their claim for rest of the amount/points is dismissed. Parties shall bear their own costs of the dispute.

GANPATI SHARMA, Presiding Officer

नई दिल्ली- 4 जनवरी, 1997

का.आ199.-औद्योगिक विवाद अधिनियम 1947(1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे राजकोट के प्रबंधन के संवर्धन निष्ठाओं और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अहमदाबाद के पंचरत का

प्रकाशित करता है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या : एल-41011/20/91-आई.आर. (डीयू.)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 9th January, 1997

S.O. 199.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway, Rajkot and their workman, which was received by the Central Government on the 2-1-1997.

[No. L-41011/20/91-IR(DU)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI P. R. DAVE, PRESIDING OFFICER INDUSTRIAL TRIBUNAL (CENTRAL), AHMEDABAD

Reference (ITC) No. 76 of 1991

ADJUDICATION

BETWEEN

Western Railway,
Rajkot.

.. First party

AND

The Workmen employed
under it.

.. Second party

In the matter whether the action of the D.R.M., Western Railway, Rajkot in not granting temporary status to the workmen concerned (14 in number) from 1-1-83 or the date they have completed 180 days attendance is justified? If not, what relief the workmen concerned are entitled to?

APPEARANCES :

Shri H. B. Shah, Advocate for the first party.
Shri S. B. Nigam, Zonal Secretary for the second party.

AWARD

By an Order No. L-41011/20/91-IR(DU) dated 5-12-91 the Desk Officer, Labour Ministry, Govt. of India, New Delhi, has referred an industrial dispute as stated in the Schedule of above order between the above parties u/s. 10(1) of the I.D. Act, 1947, for adjudication initially to the Industrial Tribunal of Shri V. H. Thakore. Thereafter, it was transferred to the Industrial Tribunal of Shri D. V. Joshi by an appropriate order of the Government and again it was transferred to this Tribunal by an appropriate order of the Government.

2. The second party has filed the statement of claim at Ex. 12 and prayed to direct the first party to re-engage the concerned labour with full back wages, seniority to regularise them and they be granted temporary status with payment from the day they completed 180 days. The case of the second party is that the casual labour stated in this reference were initially appointed at Surendranagar over Viramgam—Okha Project of first party and then they were brought from Surendranagar to Rajkot to work under Asstt. Engineer (Const) Rajkot; that the Chief Engineer (Const) again shifted them to project running near Jalpur; that as per Railway rule the casual labour are not supposed to be shifted from one place to other and when these labour resisted their shifting as their juniors were working over the Viramgam—Okha project itself, even then they were discontinued; that when these labour were discontinued, then neither the project north Division has any combined seniority list of these casual labour as practically it was impossible to say who was juniors were on the job. Moreover, the Railway has recruited new faces in the year 1983, that is why as per I. D. Act, these labour were not called and appointed; that Divisional Rail Manager, Rajkot has also regularised certain labour who were junior to them; that the Railway has failed even to call them for screening. Thus, these labour were victimised by the Division also; that the Railway has not granted them temporary status after the completion of 180 days and thus these labour were put to financial loss also and hence this reference.

3. The first party has filed its reply at Ex. 16 and denied the facts and allegations stated by the second party in the statement of claim and contended that the project casual labour in question were initially engaged by the Construction Department under the administrative control of Chief Engineer (Construction) Ahmedabad and they were diverted to Rajkot Division in the year 1985; that there was no concept of temporary status to the project casual labours at that point of time. These casual labours on being diverted from the Construction project to work in open line were granted temporary status after 120 days of their continuous working in the division as applicable to the open line casual labours; that the concept of temporary status to project casual labour was introduced as a result of the Honourable Supreme Court's Judgment dated 11-8-1986 in the Miscellaneous Petition filed by Shri Indranal Yadav & others and the temporary status was to be given according to the scheme under the indentment that these project casual labour are not entitled for grant of temporary status on completion of 180 days; that these project casual labour being engaged by the Construction Department under the control of Chief Engineer (Construction), Ahmedabad and thereafter they were diverted to Rajkot Division. Therefore, it was for that office to verify their record and grant

temporary status to these casual labours from the date they became due as per the schedule given alongwith the reply; that Executive Engineer (Construction) (North), Ahmedabad accordingly has issued orders dated 29-7-91 for grant of temporary status to these 14 project casual labours from the dates they have become due for such benefits as per their record. Copy is enclosed as Annexure-1 and hence the reference should be rejected.

4. The second party has filed Rejoinder at Ex. 21 and accepted that the contents of the reply were correct. It is further stated that the Divisional Railway Manager, Rajkot admitted that they have granted temporary status to these labour on completion of 120 days working in the division. When the same labour who were doing the same work in project were denied the temporary status on completion of 180 days; that the Executive Engineer (Construction) has granted temporary status as per the Schedule framed in the case of Indarpal Yadav. But they have not been granted temporary status on completion of 180 days as demanded and this is against the law of natural justice.

5. The second party thereafter filed the amendment application at Ex. 33 adding the facts and claims. It was fixed for reply and hearing on 29-4-93. But thereafter the first party did not file any objection and after three years in 1996 when the matter transferred to this Tribunal it can hear at the time of final hearing also. However, after this long delay, the Tribunal does not think it proper to give piecemeal order particularly when it heard all matter on merits and as the amendment does not change any stand of the parties nor it prejudices any parties and it is simply addition to the main facts and claim, the amendment is allowed and this Tribunal takes cognisance of it as amended in the interest of justice as technical formalities are not required in conducting this type of reference in the Tribunal.

6. The second party has not filed any documentary evidence and also has not led any oral evidence and has closed the process by Purshis Ex. 28.

7. The first party has produced the order dated 29-7-91 granting temporary status to concerned labour listed in the reference. The first party has also produced the letter of General Manager dated 19-9-86 at Ex. 43, the letter dated 11-9-86. Dy. Director Establishment (N), Railway Board and the order of the Supreme Court dated 11-8-86 at Ex. 45. The Judgment of the Honourable Supreme Court in Civil Appeal No. 2023 of 1991 dated 25-10-91 is produced at Ex. 26.

8. The first party has also not led any oral evidence.

9. Shri Nigam for the second party vehemently argued that as per the statement of claim at Ex. 12, the concerned labours were engaged by the first

party and were transferred from one place to another place prejudicing their interest or seniority and, therefore, they should be given temporary status as per their seniority with others. However, it is necessary to get this relief for these labours to get the benefits of temporary status from early point of time and regularisation and also for the calculation of pensionary benefits as it would affect their qualifying service. Shri Nigam clarified that it could not affect monetarily against the interest of the first party. But it is only for the purpose of pensionary benefits this reference should be allowed.

10. Shri H. B. Shah for the first party vehemently submitted that as temporary status is already granted to the concerned workmen as per the judgment of the Honourable Supreme Court in the case of Indrapal Yadav, this reference is not tenable now. Shri Shah drew the attention of this Tribunal to the contents of letter dated 11-9-86 providing temporary status for casual labours and submitted that as per the contents of judgment of the Honourable Supreme Court of India, the temporary status could be granted only after completion of 360 days and those who have completed 5 years as on 1-1-81 and the first party has followed these directions. Hence there is no scope for any further relief to be granted to second party in respect of the concerned workmen. Shri Shah advanced the arguments that there is no evidence of any kind in this matter that all these workmen having completed 360 days on any particular date and the burden was lying on the second party in this respect. Shri Shah raised the question as to how the rules pertaining to non-project worker could be applied to project worker or vice versa when the concerned labours are in non project work at present and the demand of the reference did not fall within the purview of Supreme Court judgment and if the first party did not follow the judgment of the Supreme Court, it would amount to contempt. Shri Shah submitted that the demand could be raised only in matter of service conditions and then it would follow Section 2(k) and no demand could be raised to create new right and when the rights itself are determined by the Supreme Court, there is no dispute about rights and, therefore, this Tribunal has no jurisdiction to decide the matter.

11. On perusal of the records and in view of the pleadings of the parties and records produced in the matter and submissions of the parties in this matter, the basic facts are admitted by the parties in respect of the provisions made in the judgment of the Honourable Supreme Court in the case of Indrapal Yadav. In this matter, the second party has prayed for the reliefs for concerned workmen to be re-engaged with full back wages, seniority, etc. and regularisation and for temporary status with the payment from the day the concerned labours completed 180 days.

12. Now the subject of this reference is as under :—

“Whether the action of the D.R.M., Western Railway, Kajkot in not granting temporary status to the workmen (list enclosed) from 1-1-83 or the date they have completed 180 days attendance is justified? If not, what relief the workmen concerned are entitled to?”

In view of above referred dispute the issue before the Tribunal is whether the relief sought for by the second party is tenable or not. The reference is based upon the fact that the temporary status to the workmen listed was not granted from 1-1-83 or the date they have completed 180 days attendance. But in view of memorandum dated 29-7-91 attached alongwith the reply Ex. 16 as annexure clearly shows that these concerned labours are already granted temporary status either from 1-1-83 or from 1-1-84 respectively. Therefore, there is no question in this matter of non granting of temporary status to the concerned workmen and in that sense the reference is not tenable on facts as prayer sought for in respect of temporary status is already granted earlier and the statement of claim was filed on 20-2-92, this fact regarding grant of temporary status to the concerned workmen is not stated by the second party. The second party has not referred to the judgment of the Honourable Supreme Court in respect of this issue. Thereafter when the documents came before this Tribunal the second party admitted this fact by filing rejoinder Ex. 21. The second party admitted in rejoinder that the contents of reply were correct and temporary status was granted to the concerned labour. But again the second party stated in para-4 of Ex. 21 that “the Executive Engineer (Construction) has granted temporary status as per the schedule framed in the case of Indrapal Yadav. But they have not been granted temporary status on completion of 180 days as demanded.” When the Hon. Supreme Court directed in the case of Indrapal Yadav v. Union of India that temporary status should be granted to those casual workers who have completed 360 days and when the Honourable Supreme Court itself prescribed the criteria in the same judgement, how can the second party claim otherwise and how can this Tribunal grant relief contrary to the directions of the Honourable Supreme Court? Therefore, relief sought for does not deserve to be granted. Moreover, if the concerned casual labours are entitled to temporary status from the date they completed 180 days as per the claim of the second party, they should have come forward with the details that a particular casual labour had completed 180 days on a particular date. In fact, the second party has not led any evidence in respect of the facts stated in the statement of claim in respect of attendance days of any of the concerned workmen. Thus, in view of this situation, the reference deserves to be dismissed and other relief in respect

A seniority, regularisation, etc. are incidental to this main relief of granting temporary status and if the first party has granted temporary status as per the directions given in the judgment of the Honourable Supreme Court in the case of Indarpal Yadav v. Union of India the claim in respect of other prayers also is not tenable. In these circumstances, the reference deserves to be dismissed on this main ground stated as above.

13. In view of above discussions, I pass the following order :—

ORDER

The reference is hereby dismissed. No order as to costs.

P. R. DAVE, Presiding Officer

Ahmedabad, 21st November, 1996.

नई दिल्ली, 7 जनवरी, 1997

का.आ. 200.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) का धारा 17 के अनुसूच में केन्द्रीय सरकार द्वारा ऐलान किये गये प्रवचन के संवत् निर्देशों और उनके कर्मचारियों के बीच अनुसूच में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचद को प्रकाशित करती है, जो केन्द्रीय सरकार का 2-1-97 का प्राप्त हुआ था।

[संख्या एल-41012/6/90-आईआर (डि.यु.)]

पी. जे. माइकल, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 200.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Uttar Railway, Lucknow and their workman, which was received by the Central Government on 2-1-97.

[No. L-41012/6/90-IR(DU)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 257 of 1990

In the matter of dispute between :
Zonal Working President,

Uttar Railway Karamchari Union,
96/196, Roshan Bajaj Lane,
Ganeshganj, Lucknow.

AND

Senior Divisional Mechanical Engineer,
Uttar Railway, Lucknow.

AWARD

1. Central Government Ministry of Labour, New Delhi, vide its notification No. L-41012/6/90 I.R. (DU) dated 21-10-90 has referred the following dispute for adjudication to this Tribunal—

“Whether the action of Sr. DME, Northern Railway, Lucknow in terminating the services of Sri Anjani Kumar, S/o Sri Chandra Bhal, Substitute Cleaner w.e.f. 5-9-81 is justified. If not, to what relief the workman was entitled to?”

2. The concerned workman Anjani Kumar in his claim statement has alleged that he was engaged as substitute cleaner on 1-6-90. He continuously worked upto 4-9-81 thereby completing 240 days in a year. His services were brought to an end w.e.f. 4-9-81 without retrenchment compensation and notice pay as such his termination is bad in law for want of compliance of section 25F of I.D. Act.

3. The opposite party has filed reply in which it has been alleged that the concerned workman had obtained employment by practising fraud and impersonation. Hence his services were brought to an end.

4. In the rejoinder nothing new has been said.

5. From the above pleadings it is clear that the concerned workman has been punished without following any enquiry. In such a case provisions of section 25F of I.D. Act are not attracted. Still I am of the opinion that his services could not have been brought to an end without affording atleast an opportunity to show cause.

6. In its absence his termination is bad in law. Still I am not inclined to grant any relief to the concerned workman as this reference has been sought much after six years of the date of accrual of cause of action for which there is no explanation at all. In such a case as has been held in the case of Balwant Singh Versus Labour Court Bhatinda 1996 Lab IC Page 45 no relief is to be awarded to the concerned workman.

[भाग II-खंड 3(ii)]

7. Hence my award is that both the termination of the concerned workman was bad. He is not entitled for any relief because of stale claim. Reference is answered accordingly.

Allahabad.

APPEARANCE :

Shri Dina Nath Tiwari for the workman.
Shri Hamid Quraish for the Management.

AWARD

B. K. SRIVASTAVA, Presiding Officer

दिनांक, 7 जनवरी, 1997

का. भा. 201-प्रार्षाधिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में केन्द्रीय सरकार उत्तर रेलवे इलाहाबाद के प्रबंधन के संबंध में निजी और उनके कर्मचारियों के बीच अन्वय में निजी औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचवट को वापस करने है जो केन्द्रीय सरकार को 23-12-96 को प्राप्त हुआ था।

[संख्या: एन-41012/23/91-आई. डी. (डु.)]
पी. जे. माइकल डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 201.—In pursuance of Section II of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Allahabad and their workman, which was received by the Central Government on the 23-12-96.

[No. L-41012/23/91-IR(DU)]
P. J. MICHAEL, Desk Officer
ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT
DEOKI PALACE ROAD, PANDU NAGAR,
KANPUR

Industrial Dispute No. 181 of 1991

In the matter of dispute between :
Upadhyaysh,
Uttar Railway Karamchari Union,
2, Naveen Market,
Parade Kanpur.

AND

Divisional Railway Manager,
Northern Railway,

1. Central Government, Ministry of Labour New Delhi vide its notification No. 41012/23/91-I.R. (D.U.) dated 30-10-91 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of SEPO(C), Northern Railway Kanpur in not regularising the services of Shri Ram Kishan, S/o Sh. Jamuna Prasad, Ex-Khalasi and also terminating his services w.e.f. 31-8-84 is legal and justified? If not, what relief the concerned workman is entitled to?"

2. The concerned workman Ram Kishan has alleged that he was engaged as a Khalasi by SEFO (G) CNB on 27-6-77 and in the year 1980 a personal Khalasi was prepared in which his name was placed at S. L. No. 150. He was also sent for medical examination. He had deposited Rs. 80/- with dealing clerk Quraish by name still he was not medically examined. He continued to work as Khalasi upto 31-8-84, when he was ceased. As he had completed more than 240 days and as he was not paid notice pay and retrenchment compensation this cessation of work is illegal. Further as junior to him have already been regularised, he is entitled for regularisation.

3. The opposite party has filed written statement in which this fact is not disputed that a panel was prepared in which the name of applicant figured at Sl. No. 150. However he had given contradictory date of birth for which he was asked to explain. Instead of giving explanation he started absenting himself. It is denied that he had ever deposited Rs. 8 for medical examination. The concerned workman is also entitled for regularisation as he had not undergone medical examination.

4. In the rejoinder nothing new have been alleged.

5. In support of his claim the concerned workman had filed his affidavit. In his cross-examination he has stated that he was asked to give proof of date of birth as he had not studied in any school. In the casual labour card he had given his date of birth as 3-6-88. He has denied that he himself stopped doing work. Besides the concerned workman has filed exhibit B-1 to B-4 to show that he had worked from 27-6-79 to 30-8-84. The management has not filed any document or oral evidence. Ultimately they were debarred from doing so on 4-10-96. Thus the evidence of concerned workman is un rebutted.

6. Relying upon this un rebutted evidence of the concerned workman complied with exhibit B-2 the certificate. It is held that the concerned workman has completed 240 days in a year. As no notice pay and retrenchment compensation was given to him this termination is void.

7. It is not disputed that union to the concerned workman have been regularised still I am of the view that the concerned workman is not entitled for outright regularisation.

8. My award is that the termination of the concerned workman is bad in law he will be entitled for reinstatement with back wages from the date of reference, as reference is belated. Any how the concerned workman will be entitled for all other benefits on the basis as if had regularised continuous service. The management is further directed to hold Medical Test and other suitability test within one year from the date of publication of award. If he is found fit he should be regularised from the date his juniors were regularised. In case this suitability test is not held by the management within stipulated time the concerned workman will be deemed to have been regularised from the date his junior was regularised. However it is made specific that in case the concerned workman will be not entitled for difference of wages from the date of such regularisation because the reference is belated. It is further awarded that the concerned workman will be entitled for such difference of wages from the date of reference.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 7, जनवरी, 1997

का.ग्रा. 202-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारत सरकार मुद्रगायक, अलीगढ़ के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था :

[संख्या : एल-16012/1/89-D-2(B)]

पी. जे. माइकेल, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 202.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal,

Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Govt. of India Press, Aligarh and their workman, which was received by the Central Government on the

[No. L-16012/1/89-D-2(B)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 44 of 90.

In the matter of dispute between :
Adhyaksh Rajkiya Mudranalaya Karamchari Sangh, Madhupura Station Road, Aligarh.

AND

Manager Government of India Press
Aligarh.

AWARD

1. Central Govt. Ministry of Labour, vide its notification No. L-16012/1/89-D-2(B) dated 15-1-90, has referred the following dispute for adjudication to this Tribunal :—

Whether the manager of Govt. of India Press Aligarh was justified in reverting Sri Om Prakash from the post of Binder to the post of Bindery Assistant w.e.f. 7-10-87? If not to what relief the workman was entitled to?

2. The concerned workman was working as Binder in the opposite party Government of India Press at Aligarh. He had submitted a claim of Rs. 1982.85 paise in connection with claim of LTC. Later on it was revealed that he has given false tickets number in the claim and thereby he had committed misconduct. One J. S. Verma Hindi Officer of the opposite party was appointed as Enquiry Officer. After completing enquiry he submitted his report on 23-11-87. On the basis of this report he was reverted to the post of Bindery Assistant from the post of Binder by way of punishment. Feeling aggrieved he has raised the instant industrial dispute. In the claim statement interalia the fairness and propriety of the domestic enquiry was question which fact was denied by the opposite party. Hence a preliminary issue in this regard was framed on 19-2-92. My learned predecessor vide finding dated 10-2-93 held that enquiry was fair and proper. Thereafter my learned predecessor fixed a date of hearing parties on the question of quantum of punishment.

3. I have heard both sides and have gone through record. The concerned workman has also submitted written arguments, in once again the alleged shortcoming in the enquiry have been highlighted. In my opinion once the enquiry has been held to be fair and proper this tribunal no longer is left with jurisdiction to examine this aspect. Hence it not being done.

4. As it is a case of punishment lessor than dismissal discharge or removal from service because of provisions of Section 11-A of I.D. Act this tribunal has got no jurisdiction to examine the question of quantum of punishment. In view of this legal position this aspect has also not been examined by me.

5. In the end my award is that the concerned workman was rightly awarded punishment and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 7 जनवरी, 1997

का.आ. 203.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक आफ बीकानेर एण्ड जयपुर पाली के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अजमेर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-12-96 को प्राप्त हुआ था।

[संख्या एल-12012/19/95-आई आर (बी-1)]

पी जे माईकल, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O.203.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Ajmer as shown in the Annexure, in the industrial dispute between the employers in relating to the management of State Bank of Bikaner and Jaipur Paali and their workman which was received by the Central Government on 30-12-96.

[No. L-12012/19/95-I.R. (B-I)]
P. J. MICHAEL, Desk Officer

श्रीम न्यायालय एवं औद्योगिक न्यायाधिकरण

अजमेर

सी.आई.टी.आर. 08/96

रेफरेंस नम्बर-एल 12012/19/95 आई.आर. (बी 1)

दिनांक 19-3-1996

श्री लक्ष्मण सिंह पुत्र श्री कान सिंह, माले लाब रोड,
राजेन्द्र नगर, पाली 306401

प्रार्थी/श्रमिक

बनाम

शाखा प्रबन्धक, स्टेट बैंक आफ बीकानेर एण्ड जयपुर, पाली-306401

अप्रार्थी/नियोजक

समक्ष

श्री हरि सिंह यू. अस्तानी, आर.एच.जे.एस.

पीठासीन अधिकारी

श्री ललित शर्मा

प्रार्थी की ओर से

श्री एस.के. भार्गव

अप्रार्थी की ओर से

अवार्ड

16-12-1996

1. भारत सरकार ने निम्न विवाद अधिनिर्णय हेतु इस अधिकरण को प्रेषित किया है :

“क्या प्रबन्धक, स्टेट बैंक आफ बीकानेर एण्ड जयपुर शाखा पाली द्वारा श्री लक्ष्मण सिंह को सेवा से पृथक् करना उचित एवं वैध है। यदि नहीं तो श्रमिक किस राहत का अधिकारी है।”

2. प्रार्थी लक्ष्मण सिंह द्वारा शाखा प्रबन्धक स्टेट बैंक आफ बीकानेर एण्ड जयपुर औद्योगिक क्षेत्र शाखा, आई.टी.आई. रोड पाली (जिसे संक्षेप में हम नियोजक कहेंगे) के विरुद्ध प्रस्तुत स्टेटमेंट आफ क्लेम के सुसंगत तथ्य संक्षेप में इस प्रकार है :

क. यह कि प्रार्थी को नियोजक (श्री प्रदीप वाजपेयी शाखा प्रबन्धक) ने मौखिक आदेश से दिनांक 18-12-92 को वाटर बाय के पद पर रुपये 500/- प्रतिमाह वेतन पर नियुक्त किया था और प्रार्थी नियमित क्षुब्ध श्रेणी कर्मचारी द्वारा सम्पन्न किये जाने वाले सभी कार्य करता था।

ख. यह कि दिनांक 23-6-94 को नियोजक ने बिना किसी पूर्व सूचना के मौखिक आदेश से प्रार्थी को कार्य पर नहीं आने के लिए कहा और उससे एक दिन पहले तक प्रार्थी लगातार कार्य पर आ रहा था।

ग. यह कि प्रार्थी को दिनांक 18-9-93 से वेतन वृद्धि कर 600/- प्रतिमाह वेतन कर दिया गया था और यह प्रदर्शित किया गया कि प्रार्थी जनरेटर

बसाने वाले ठेकेदार गौरीशंकर के यहां कार्य कर रहा था।

प. यह कि नियोजक द्वारा जन हितार्थ समाज सेवा के लिए प्याऊ लगाने का कथन पूर्णतः निराधार है।

अनुतोष के रूप में प्रार्थी ने अनुर्य श्रेणी कर्मचारी की वेतन शृंखला के अनुसार अंतर की राशि सहित 23-6-94 से निम्नरता के साथ सेवा में बहाली चाही है।

3. नियोजक द्वारा प्रस्तुत क्लेम के उत्तर में मुख्य रूप से यह कहा गया है कि प्रार्थी और नियोजक के बीच श्रमिक और नियोजक का संबंध नहीं है और प्रार्थी को वाटर बांध के रूप में कोई नियुक्ति नहीं दी गई थी और न ही ऐसा कोई पद स्वीकृत है बल्कि गौरी शंकर नाम के व्यक्ति को नियोजक बैंक ने जनरेटर द्वारा विद्युत सप्लाई का ठेका दे रखा था और प्रार्थी उस ठेकेदार के यहां कार्य करता था।

बैंक ने अपने ग्राहकों और आम जनता की सुविधा हेतु प्याऊ की व्यवस्था की थी और उसकी देखभाल हेतु गौरीशंकर को रखा गया था। और गौरीशंकर ने प्याऊ के कार्य हेतु प्रार्थी को लगाया था और गौरीशंकर के कहे अनुसार नियोजक बैंक प्रार्थी को 500 रु. का भुगतान करता था।

नियोजक के अनुसार प्याऊ की व्यवस्था केवल 18-12-92 से 17-9-93 तक थी और उसके बाद प्याऊ बंद कर देने के कारण प्रार्थी से प्याऊ का कोई कार्य नहीं लिया गया और प्रार्थी के नियोजक ठेकेदार द्वारा प्रार्थी को दिनांक 23-6-94 को हटाया गया जिससे नियोजक का कोई सम्बन्ध नहीं है।

4. प्रार्थी लक्ष्मण सिंह ने साक्ष्य में स्वयं के अतिरिक्त रतन लाल एवं बी.एम. नागोरी को साक्ष्य में पेश किया है। नियोजक की ओर से मुख्य प्रबन्धक श्री प्रदीप बाजपेयी को साक्ष्य में पेश किया गया है।

5. नौने पत्रावली का सावधानी से अवलोकन किया तथा उभय पक्ष के तर्क सुने।

6. प्रार्थी की ओर से मेरे समक्ष निम्न तर्क प्रस्तुत किये गये :

(ए) यह कि साक्षी के रूप में प्रस्तुत मुख्य प्रबन्धक श्री प्रदीप बाजपेयी हितबद्ध गवाह है और स्वाभाविक रूप से वे बैंक के पक्ष में साक्ष्य देंगे।

(बी) यह कि प्रार्थी ने निष्पक्ष और वस्तु स्थिति से जानकर गवाहों को साक्ष्य में पेश किया है जिन्होंने यह दर्शाया है कि प्रार्थी ने अनुर्य श्रेणी कर्मचारी के रूप में नियमित रूप से कार्य किया और प्रार्थी ने

240 दिन से अधिक कार्य किया अतः नियोजक और श्रमिक के बीच प्राप्ति कानूनी गन्तव्य स्वतः सिद्ध हो जाते हैं।

(सी) यह कि नियोजक के गवाह ने अपने साक्ष्य में यह कहा है कि प्याऊ हेतु प्रार्थी को लगाने के लिए श्रेणीय प्रबन्धक से जरिए प्रवर्ण एम-1 अनुमति ली गई थी किन्तु इस अनुमति से पूर्व ही साक्षात् प्रबन्धक ने श्रमिक को नियुक्त कर दिया था।

(डो) यह कि नियोजक ने यह सिद्ध नहीं किया है कि प्याऊ के लिए सामान कब खरीदा, कहां से खरीदा और दिसम्बर माह में प्याऊ की आवश्यकता ही नहीं थी। अतः प्याऊ की सारी कहानी मनगदन्त है।

(ई) यह कि प्रार्थी ने नियोजक बैंक के यहां 270 दिन कार्य कर लिया था और बाद में प्रार्थी द्वारा ठेकेदार के यहां जनरेटर पर काम करना नियोजक बताता है।

(एफ) यह कि स्टेट बैंक आफ बीकानेर एण्ड जयपुर में 100 से अधिक व्यक्ति कार्यरत है अतः किसी भी श्रमिक की छटनी करने में पूर्व औद्योगिक विवाद अधिनियम की धारा 25 एच के तहत उपयुक्त सरकार से अनुमोदन प्राप्त करना चाहिए था जो नहीं किया गया है और नियोजक के पास ठेके सम्बन्धी लायसेंस भी नहीं है।

प्रार्थी के विद्वान अधिवक्ता ने अपने तर्कों के समर्थन में मेरा ध्यान “(1985) 4 एस.सी.सी. 201” एच.डो. सिंह बनाम रिजर्व बैंक आफ इंडिया” की ओर आकर्षित किया।

7. नियोजक के विद्वान अधिवक्ता ने प्रार्थी के विद्वान प्रतिनिधि द्वारा उल्लेखित न्यायिक दृष्टांत के इस मामले में लागू नहीं होने का कथन करते हुए यह तर्क दिया कि श्रमिक; प्रार्थी बैंक का किसी रूप में कर्मचारी का कर्मकार था ही नहीं और न ही नियोजक के यहां ऐसा कोई पद सृजित है।

यह कि प्रार्थी ने जनरेटर के ठेकेदार के यहां कार्य किया और बैंक ने ग्राहकों और जन सुविधाओं के लिए पानी पिलाने की आकस्मिक योजना के तहत प्रार्थी को भुगतान किया गया था और यह कार्य निश्चिन्त अवधि के लिए और निश्चित राशि तक सीमित है।

8. सर्वप्रथम हम प्रार्थी लक्ष्मण सिंह की साक्ष्य का अवलोकन करना चाहेंगे। प्रार्थी ने अपनी साक्ष्य में यह कहा है कि दिनांक 18-12-92 को उसे नियोजक बैंक के मैनेजर श्री प्रदीप कुमार बाजपेयी ने मौखिक रूप से नियुक्त किया था और वह वाटर बांध का काम करता था। उसे 500 (पांच सौ रुपये) प्रतिमाह के हिसाब

से दिये जाते थे और उसने 23-6-94 तक लगातार कार्य किया। 18-9-93 से नियोजक ने 500 से उसका वेतन 600 रु. कर दिया और 22-6-94 को मौजिक रूप से उसे कार्य से हटा दिया और वह बैंक में निरन्तर विभिन्न प्रकार का कार्य संतोषजनक रूप से करता था। इस गवाह ने यह कहा है कि उसे कोई नियुक्ति पत्र नहीं दिया गया था। प्रार्थी के अनुसार जनरेटर का कार्य गौरीशंकर के कहने पर एक अन्य व्यक्ति किशन लाल करता था किन्तु वह स्वीकार करता है कि गौरीशंकर ने उसे जनरेटर का भुगतान किया था किन्तु उसने स्वतः कहा कि 18-9-93 के बाद गौरीशंकर ने उसे भुगतान किया था, पहले नहीं। इस गवाह के अनुसार वह बैंक के अन्दर कार्य करता था। इस गवाह ने यह स्वीकार किया है कि जब उसने कार्य शुरू किया तब से गौरीशंकर का आधारी जनरेटर का काम करता था। इस गवाह ने इस सुझाव का खण्डन किया है कि नियोजक ने उसे अपनी आकस्मिक रूप से चलने वाली सामाजिक सेवा के तहत लाभ देने के लिए भुगतान किया हो किन्तु उसका कथन है कि उसे नियमित बैंक के कर्मचारी के रूप में भुगतान किया जाता था। वह इस सुझाव को स्वीकार करता है कि बैंक के समस्त कर्मचारियों को भुगतान वेतन पर्वी के माध्यम से होता था किन्तु उसका कथन है कि उसे वेतन पर्वी के माध्यम से भुगतान नहीं होता था किन्तु उसने इस बारे में आपत्ति नहीं दिखाई। प्रार्थी का यह कथन है कि बैंक के सभी कर्मचारियों के लिए हाजिरी रजिस्टर है जिसमें आते समय और जाते समय हाजिरी लगती है किन्तु प्रार्थी के अनुसार वह हाजिरी रजिस्टर में उपस्थिति दर्ज नहीं करता था और रजिस्टर में उसका नाम भी नहीं था किन्तु रजिस्टर में उसका नाम नहीं होने के बावजूद उसने आपत्ति नहीं की। उसे वेतन नियमित रूप से दिया जाता था या विविध खाते से यह उसकी जानकारी में नहीं है।

प्रार्थी के दूसरे गवाह श्री रतनलाल, जो नियोजक बैंक शाखा के सामने चाय की होटल चलाता है, ने अपनी साक्ष्य में यह कहा है कि प्रार्थी ने 18-12-92 से 22-6-94 तक नियोजक बैंक में कार्य किया और बैंक द्वारा कोई भी सार्वजनिक प्याऊ नहीं लगाई गई। प्रतिपरीक्षा में यह गवाह कहता है कि नियोजक बैंक में दो नौकर थे उनमें से एक प्रार्थी और एक मिश्री लाल था और प्रार्थी लक्ष्मण ने नौकरी छोड़ दी। शपथ पत्र में इस गवाह ने 18-12-92 से 22-6-94 तक प्रार्थी द्वारा कार्य करने का जो कथन अधिलिखित किया है, उसका आधार पूछे जाने पर वह कहता है कि उसने अपनी डायरी में यह तारीख नोट कर रखी थी। किन्तु डायरी आज साथ नहीं लाया है। इस गवाह के अनुसार प्रार्थी ही उन दिनों जनरेटर चलाता था। इस गवाह की जानकारी नहीं है कि प्रार्थी जनरेटर

के मालिक के यहां कार्य करता हो। उसे इस बात की जानकारी नहीं है कि जनरेटर वाला प्रार्थी को कितने रुपये देता था। इस गवाह के अनुसार प्रार्थी बैंक में चाय लाने का कार्य करता था और बैंक में ताला भी लगाता था किन्तु उसे पता नहीं है कि प्रार्थी बैंक में कार्य करता था या जनरेटर वाले के यहां काम करता था।

प्रार्थी की ओर से प्रस्तुत तृतीय गवाह श्री मागोरी ने अपने शपथ पत्र में बताया है कि वह 31-10-94 तक नियोजक बैंक शाखा में विशेष सहायक के पद पर कार्यरत रहा और उसका कथन है कि प्रार्थी जनरेटर चलाने के अतिरिक्त एक सामान्य चतुर्थ श्रेणी कर्मचारी के सभी कार्य करता था।

प्रतिपरीक्षा में इस गवाह का कथन है कि विसम्बर 93 में उसने नियोजक बैंक में कार्य ग्रहण किया था। इस गवाह के अनुसार प्रार्थी जनरेटर वाले की तरफ से बैंक में जनरेटर चलाता था और जनरेटर के मालिक का नाम गौरीशंकर था। इस गवाह को इस बात की जानकारी नहीं है कि प्रार्थी को वेतन गौरीशंकर देता हो। यह गवाह क्लीयरिंग काउन्टर पर कार्य करता था। उसके अनुसार प्रार्थी को नियोजक बैंक ने कोई भुगतान नहीं किया। इस गवाह ने कभी-कभार प्रार्थी को बैंक का कार्य करते देखा इस गवाह का कहना है कि बैंक किसी भी कर्मचारी को नियुक्त करता है तब नियुक्ति पत्र जारी करता है। प्रार्थी को नियुक्ति पत्र नहीं दिया गया था। इस गवाह के अनुसार बैंक में प्याऊ की व्यवस्था केवल एक छल मास थी और उसके नाम पर किसी को काम पर लगाने का एक बहाना बना लिया गया और इसी प्रकार की योजना के तहत प्रार्थी को लगाया गया था इस गवाह के अनुसार उसकी कार्य अवधि के दौरान प्रार्थी जनरेटर वालों की तरफ से ही कार्य करता था।

9. अब हम नियोजक के गवाह प्रदीप वाजपेयी की साक्ष्य का अवलोकन करेंगे। इन गवाह के अनुसार जनरेटर गौरीशंकर नामक व्यक्ति का था जिसके माध्यम से श्रमिक नियोजक बैंक में उसे ऑपरेट करता था। बैंक में वाटर बॉय का कोई पद नहीं है और जनसेवा प्याऊ की सेवा के लिए किसी को ला सकते हैं। इस गवाह के अनुसार उसने प्रार्थी को नियुक्त नहीं किया किन्तु उसे गौरीशंकर ठेकेदार ने जनरेटर ऑपरेट करने के लिए लगाया था और इस गवाह ने प्याऊ की सेवा के लिए प्रार्थी को लगाया था और इस सम्बन्ध में क्षेत्रीय कार्यालय से अनुमति भी ली गई। अनुमति पत्र प्रदर्श एम-1 है इस गवाह की याद नहीं है कि प्रार्थी को 18-12-92 से 17-9-93 तक नौ माह लगातार बैंक द्वारा भुगतान किया गया था या नहीं क्योंकि पुरानी घटना है किन्तु बैंक के कार्य हेतु प्रार्थी को कोई भुगतान नहीं किया गया था। इस गवाह ने यह बताया है कि प्याऊ की सेवा में कार्यरत

व्यक्ति बैंक के पेट्रोल पर नहीं होता और उसकी हाजरी भी नहीं होती और बैंक स्वयं प्याऊ नहीं बनाती किन्तु पानी की सेवाओं के लिए भुगतान प्राप्त करने वाले व्यक्ति को इसकी व्यवस्था का दायित्व सौंपती है और समान्यतया प्याऊ की व्यवस्था करने वाला ही साधनों की व्यवस्था करता है। प्याऊ कार्य हेतु अनुमति प्राप्त होने से पूर्व ही प्रार्थी को उस कार्य पर लगाने बाबत स्पष्टीकरण देते हुए इस गवाह ने कहा है कि ऐसे कार्य के लिए कभी मौखिक अनुमति भी ले ली जाती है और कभी अनुमति एंटीसिपेट (anticipate) भी कर लेते हैं और यह भी संभव है कि प्रदर्श एम-1 अनुमति से पूर्व भी कोई अनुमति का पत्र प्राप्त हुआ हो और यह अनुमति प्रॉडिट का विषय होता है और इस पर प्रॉडिट की दिनांक 2-12-93 अंकित भी है और प्रदर्श-1 में अनुमति की अवधि 6 माह पढ़ने में आती है।

10. हम उभय पक्ष की साक्ष्य का विश्लेषण करें उससे पूर्व प्रार्थी द्वारा प्रस्तुत एच. डी. सिंह बनाम रिजर्व बैंक ऑफ इंडिया के न्यायिक दृष्टान्त पर गौर करेंगे :

उक्त न्यायिक दृष्टान्त के तथ्य इस प्रकार थे कि अपीलार्थी की 1994 में रिजर्व बैंक द्वारा ठीका मजदूर के रूप में दैनिक वेतन पर नियुक्ति की गई थी जिसका कार्य सिक्के और करेन्सी नोट्स के परीक्षण में सहायता प्रदान करना था और नियुक्ति आदेश के अनुसार प्रार्थी का यह दायित्व था कि प्रातः नियमित रूप से 9.30 बजे उपस्थिति दे। इसका उद्देश्य यह सुनिश्चित करना था कि उसे हर रोज काम दिया जा सकता है या नहीं और जिस दिन उसे कार्य नहीं दिया जाता था उस दिन उसे दोपहर तक काम नहीं है यह सुनने के लिए प्रतीक्षा करनी पड़ती थी। जून 1976 में रिजर्व बैंक ने एक गोपनीय परिपत्र जारी किया जिसमें अन्य बातों के अलावा यह निर्देशित किया कि औद्योगिक विवाद अधिनियम की धारा 2 (00) के दायरे के अलाक में प्रतीक्षा सूची में सम्मिलित उम्मीदवारों को नियमित रूप से कार्य पर नहीं रखा जाना चाहिए किन्तु जहां तक संभव हो रोटेशन के हिसाब से काम दिया जाना चाहिए और जब कोई नौन मेट्रिक्यूलेट मेट्रिक पास कर ले तो उसका नाम लिस्ट में हटा दिया जाना चाहिए और अपीलार्थी को 1976 की जुलाई में रिजर्व बैंक से एक पत्र मिला था कि वह अपनी शैक्षणिक योग्यता के बारे में सूचित करे और उसे यह भी लिखा गया कि क्योंकि उसने अपनी शैक्षणिक योग्यता को छिपाया है अतः उसका नाम हटा दिया जायेगा। माननीय उच्चतम न्यायालय ने यह व्यवस्था दी कि हाजरी रजिस्टर से इस प्रकार से श्रमिक का नाम हटा दिया जाना छंटनी की परिभाषा में आता है और उसके लिए धारा 25 एफ की पालना आवश्यक हो जाती है।

11. इस न्यायाधिकरण को मुख्य रूप से यह प्रश्न निर्णित करना है कि नियोजक द्वारा प्रार्थी की कथित सेवा मुक्ति उचित एवं वैध है या नहीं। इस सम्बन्ध में इस प्रश्न पर भी विचार करना आवश्यक हो जाता है कि क्या श्रमिक नियोजक बैंक का कर्मकार था। इस सम्बन्ध में प्रार्थी का

कथन है कि नियोजक बैंक के शाखा प्रबन्धक श्री वाजपेयी ने उसे मौखिक रूप से नियुक्ति प्रदान की थी जब कि नियोजक के मुख्य प्रबन्धक श्री वाजपेयी ने श्रमिक के इस कथन का खण्डन किया है। प्रार्थी ने जिन दो गवाहों को पेश किया है वे इस सम्बन्ध में न्यायालय को उल्लेखनीय सहायता करने की स्थिति में नहीं हैं कि प्रार्थी की वास्तव में नियुक्ति किसने की थी।

12. साक्ष्य के विश्लेषण से यह स्थिति प्रकट होती है कि प्रार्थी स्वयं ने अपनी जिरह में यह माना है कि उसे भुगतान जनरेटर ठेकेदार गौरी शंकर करता था किन्तु 18-9-93 के बाद ऐसा भुगतान उसे किया गया उससे पहले जनरेटर का कार्य एक किशन लाल नामक व्यक्ति गौरी शंकर ठेकेदार के कहने से करता था। प्रार्थी के अनुसार उसे नियमित कर्मचारी के रूप में भुगतान किया जाता था। किन्तु अन्य समस्त नियमित कर्मचारियों को भुगतान स्लैप मिलती थी उनकी हाजरी होनी थी जब कि प्रार्थी को न तो वे स्लैप मिलती थी और न ही उसकी हाजरी कहीं दर्ज होती किन्तु इन दोनों बातों के बारे में उसने कोई आपत्ति नहीं उठाई और उसे यह जानकारी नहीं है कि उसे वेतन नियमित कर्मचारियों के हेंड से मिलता था या अन्य किसी विविध हेंड से। प्रार्थी द्वारा प्रस्तुत गवाह रतन लाल एक नई कहानी के साथ आता है और कहता है कि प्रार्थी स्वयं ने नौकरी छोड़ दी थी जब कि प्रार्थी का यह कहना है कि उसे नौकरी से अनुचित रूप से हटा दिया गया था और इस रतन लाल को यह पता नहीं है कि प्रार्थी जनरेटर के मालिक के यहां नौकरी करता था या नहीं। गवाह के अनुसार उसने यह तारीख डायरी में लिख रखी है कि 18-12-92 से 22-6-94 के बीच में नियोजक के यहां प्रार्थी कार्यरत था किन्तु डायरी वह न्यायलय में नहीं लाया। उसे यह पता नहीं है कि प्रार्थी बैंक का कर्मचारी था या नहीं और इस गवाह के अनुसार प्रार्थी ने जिस अवधि में काम किया उस अवधि में वह जनरेटर चलाता था।

प्रार्थी द्वारा प्रस्तुत अन्य गवाह श्री नागौरी भी प्रार्थी की उल्लेखनीय सहायता नहीं करता। उसका यह कथन है कि प्रार्थी जनरेटर वाले की तरफ से बैंक में जनरेटर चलाने का कार्य करता था और जनरेटर का मालिक गौरी शंकर था। उसे पता नहीं कि गौरीशंकर प्रार्थी को तनख्वाह देता हो। यह गवाह कहता है कि अन्य समस्त बैंक कर्मचारियों को नियुक्ति पत्र दिया जाता है किन्तु प्रार्थी को नियुक्ति पत्र नहीं दिया गया था। इस गवाह के अनुसार वह दिसम्बर 93 में नियोजक शाखा में कार्यरत हुआ था और उसकी कार्य अवधि के दौरान प्रार्थी जनरेटर वाले की तरफ से ही कार्यरत था। इस गवाह ने प्याऊ की व्यवस्था को यद्यपि छल बताया है तथापि कहा है कि उसी प्रकार की योजना में प्रार्थी को रखा गया था। यह गवाह नियोजक बैंक शाखा में विशेष सहायक के रूप में पद स्थापित था। उसकी साक्ष्य से यह स्थिति सामने आती है कि

जब प्रार्थी को कथित रूप से हटाया गया तब वह वहां कार्य-रत था। इस गवाह ने केवल यदा कदा ही प्रार्थी को बैंक में कार्य करते देखा। इससे प्रार्थी का यह कथन अपना सौरमुखी देता है कि उसे नियमित कर्मचारी के रूप में रखा गया था।

13. श्री प्रवीप वाजपेयी ने यह स्थिति स्पष्ट की है कि उनके बैंक में वाटर बाँय का कोई पद सृजित ही नहीं है और न ही उस पद पर श्रमिक को लगाया गया था। इस गवाह ने स्पष्ट किया है कि प्रार्थी को बैंक में कार्य के लिए कभी भुगतान ही नहीं किया गया न ही प्रार्थी बैंक के पे रोल पर कभी रहा। इस गवाह के अनुसार उसने प्याऊ की व्यवस्था के लिए प्रार्थी को कार्य पर रखा था और 6 माह की अवधि के लिए उसे प्रदर्श एम 1 अनुमति प्राप्त हुई थी। इस प्रदर्श में यह लिखा है कि प्रार्थी को 18.9.93 से 6 माह के लिए 500 रु. प्रतिमाह पर प्याऊ हेतु पानी भरने व पिलाने हेतु मजदूर रखने की अनुमति प्रदान की जाती है और इसका खर्च शाखा के विविध खर्च खाते में नामें लिखे। इस प्रदर्श पर आडिट होने संबंधी पृष्ठोंकन भी मौजूद है। इस अनुमति के संबंध में खुलासा करते हुए नियोजक के मुख्य प्रबंधक श्री वाजपेयी ने यह कहा है कि इस प्रकार के कार्य हेतु, मौखिक अनुमति भी प्राप्त की जा सकती थी और यह संभावना भी थी कि इस प्रदर्श एम 1 के पहले एक पत्र और आया हो।

14. साक्ष्य पर समग्रता से विचार करने पर हम इस निष्कर्ष पर पहुँचे हैं कि प्रार्थी की नियुक्ति बैंक के नियमित कर्मचारी के रूप में नहीं हुई थी और नियमित नियुक्त कर्मचारी का वेतन 500/ रु. या फिर बाद में बढ़ा कर 600 रु. समेकित रूप में Consolidated नहीं हो सकता है। नियमित कर्मचारी की वेतन श्रृंखला होती है जब कि प्रार्थी की ऐसी कोई वेतन श्रृंखला नहीं थी और न ही उसने ऐसा हाना बताया है। प्रार्थी के अनुसार तो उसे केवल 500 रु. प्रतिमाह पर रखा गया था।

यह संभव है कि प्रार्थी को यदा कदा बैंक का कार्य भी बता दिया जाता था किन्तु उससे उसका अधिकार उदात्पन्न नहीं हो जाता है। इस संबंध में हमें 1995 (1) सी.एल. जे. (राज.) पेज-469 "मोहन लाल घालवाल बनाम राज-स्थान राज्य" से उपयोगी दिशा निर्देश मिलते हैं जिसमें यह कहा गया है कि जहां प्रार्थी की नियुक्ति किसी नियमित पद के विरुद्ध नहीं की गई थी और कोई स्वीकृत पद नहीं था और आदेश से भी यह प्रकट होता था कि प्रार्थी को कन्टिजेंसी फंड (Contingency Fund) से भुगतान होता था वहां प्रार्थी को नियमित किये जाने या कोई भुगतान प्राप्त करने का अधिकार नहीं है। यद्यपि प्रार्थी ने कुछ समय और कार्य किया है किन्तु प्रदर्श एम-1 दस्तावेज प्रार्थी को रखे जाने की प्रकृति का स्पष्ट द्योतक है जिससे यह स्पष्ट होता

है कि प्रार्थी को समेकित राशि पर एक निश्चित कार्य और निश्चित अवधि के लिए रखा गया था और ऐसी स्थिति में एफ.जे.आर. (81) एस.सी. 1992 पेज-565 "इंस्टीट्यूट ऑफ मैनेजमेंट डेवलपमेंट यू.पी. बनाम पुष्पा, श्रीवास्ताव" एवं ए.आई.आर. 1994 एस.सी. 1638 माध्यमिक शिक्षा परिषद् बनाम अनिल कुमार से भी उपयोगी दिशा निर्देश मिलते हैं। इसमें यह भी स्थिति स्पष्ट की गई है कि तदर्थ रूप से नियुक्त किये गये व्यक्ति के लिए 240 दिन पूरे होने की स्थिति के आधार पर श्रमिक का स्टेटस दिया जाना उचित नहीं है। इसी आशय की व्यवस्था माननीय उच्चतम न्यायालय ने (1992) 4 एस.सी.सी. 99 देहली डेवलपमेंट हार्टीकल्चर एम्प्लॉयज यूनियन बनाम देहली एडमिनिस्ट्रेशन में भी दी है।

15. उक्त समस्त तथ्यों और परिस्थितियों को दृष्टिगत रखते हुए प्रार्थी का यह कथन सही नहीं पाया जाता है कि प्रार्थी को नियमित कर्मचारी के रूप में नियुक्त किया गया था या उसे अनुचित रूप से हटाया गया। तथ्यों की भिन्नता के कारण प्रार्थी द्वारा प्रस्तुत न्यायिक दृष्टान्त लागू नहीं होता।

16. उक्त विवेचन विश्लेषण एवं न्यायिक दृष्टान्तों में प्रतिपादित सिद्धान्तों, प्रस्तुत तथ्यों, परिस्थितियों के आलोक में प्रेषित विवाद का अधिनिर्णय इस प्रकार किया जाता है :

"प्रबंधक, स्टेट बैंक ऑफ़ बीकानेर एण्ड जयपुर शाखा पाली द्वारा श्री लक्ष्मण सिंह को सेवा से पृथक् करना उचित एवं वैध है। परिणामस्वरूप प्रार्थी किसी अनुतोष को प्राप्त करने का अधिकारी नहीं है।

अग्राई आज दिनांक 16-12-1996 को लिखाया, जाकर विवृत न्यायालय में सुनाया गया।

हरि सिंह यू. अस्तानो, आर.एच. जे. एस., न्यायाधीश

नई दिल्ली, 7 जनवरी, 1997

का.आ. 204 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इटावा क्षेत्रीय ग्रामीण बैंक, इटावा के प्रबंधक के संबंध नियोजकों और उनके कर्मचारों के बीच, संबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-12-96 को प्राप्त हुआ था।

[संख्या एल-12012/209/93-आई.आर. (वी-1)]

पी. जे. माईकल, बैंक अधिकारी

New Delhi, the 7th January, 1997

S.O. 204.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Etawah Kshetriya Gramin Bank, Etawah and their workman, which was received by the Central Government on 30-12-96.

[No. L-12012/209/93-IR(B-I)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 8 of 1994.

In the matter of dispute between :

Sughar Singh,

C/o B. P. Saxena,
426-W-11 Basant Vihar,
Kanpur.

AND

Chairman,
Etawah Kshetriya Gramin Bank,
123-A Civil Lines,
Etawah.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/209/93-IR(B-I) dated 24/25-1-1994, has referred the following dispute for adjudication to this Tribunal:—

Whether the action of the management of Etawah Kshetriya Gramin Bank Etawah in terminating the services of Sri Sughar Singh Saingar w.e.f. 7-4-92 is legal and justified? If not, to what relief the workman is entitled to?

2. There is a branch Mudhi by name of the opposite party Etawah Kshetriya Gramin Bank. This branch was opened on 19-3-91. The case of the concerned workman is that he was engaged as messenger-cum-peon in this branch from the date of its establishment on a permanent post. As daily rated worker he continued to work upto 7-4-92 when his services were brought to an end for no reasons. Although it was clear post but the opposite party by adopting unfair labour practice had engaged the concerned workman as daily rated worker and also deprived him of wages of Sundays and other holidays. As at the time of his retirement he had completed for more than 240 days and as he was not paid retrenchment compensation and notice pay his retrenchment is bad in law in breach of provisions of section 25F of I.D. Act.

3. The opposite party has filed reply in which it has been alleged that the concerned workman was appointed as part time worker. He has abandoned the job of his own. He was not engaged on any permanent post. By way of amendment it was further alleged that the concerned workman had actually worked upto 8-4-92. When there was no retrenchment on 7-4-92, its validity cannot be examined.

4. The concerned workman in his rejoinder has denied fresh facts as given in the written statement.

5. In support of his case, the concerned workman has examined himself as Sughar Singh as W.W.1 whereas opposite party has examined its officer Ram Narain M.W.1 Besides the concerned workman has filed Exts. W-1 to W-4 whereas opposite party has filed M.1 to M-34 payment vouchers.

5. The first point which needs determination is as to whether the concerned workman was engaged on part time basis or for whole day. Naturally both the witnesses have supported their rival versions but there are circumstances which go against the management. The concerned workman had given notice dated 3-12-92, the copy of which is Ext. W-4 on record in which he had claimed himself to be whole time worker. The management did not refute these allegation by sending any reply. This silence would lead to inference that the management did not dispute this fact. Apart from this in the payment vouchers M-1 to M-34 it has nowhere been mentioned that the concerned workman was engaged as part time worker. In view of this adverse circumstances against the management I am not inclined to believe their version. It is accordingly held that concerned workman was not a part time worker. Instead he was a regular workman.

6. The second point which calls for determination is as to whether the concerned workman had abandoned the job or he was retrenched. Once again Sughar Singh W.W.1 has stated that he was retrenched whereas Ram Narain M.W.1 has stated that he had left the job of his own. Once again I would refer to Ext. W.4 copy of notice dt. 3-12-92 in which the concerned workman has specifically alleged that he was retrenched. The management bank kept silent. This silence on their part would lead to inference that this fact was not disputed. In view of this conduct of the management I believe the version of the concerned workman and disbelieve the version of the management. It is accordingly held that the concerned workman was retrenched and the workman had not abandoned the service.

7. The third and last point which needs determination is as to whether workman was retrenched on 8-4-92 or 7-4-92, as mentioned in the reference order. The concerned workman Sughar Singh M.W.1 was unable to state about the date of reference and further number of days he had

worked. On the other hand there is Ext. M-34 copy of payment voucher dated 8-4-92 bearing the signatures of the concerned workman which shows that wages have been paid upto 8-4-92. It in turn would go to show that the concerned workman had also worked on 8-4-92. Thus it will be wrong to hold that the concerned workman had worked upto 7-4-92 when his services were brought to an end on 7-4-92 question of its justification cannot be examined as it will be beyond its powers because of specific bar under sec. 10(4) of Industrial Disputes Act, 1947.

8. In view of this legal flaw the reference is answered against the concerned workman and it is held that he is not entitled for any relief.

9. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 7 जनवरी, 1997

का.भा. 205 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ बिकानेर एण्ड जयपुर, के प्रबन्धन के संबंध में निोजकों और उनके कर्मचारों के बीच, समुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था ।

[संख्या एल-12012/168/89-आई.आर. (बी-3)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 205.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SBI Bikaner & Jaipur and their workman, which was received by the Central Government on 2-1-1997.

[L-12012/168/89-IR (B-3)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 235 of 1989

In the matter of dispute between :
Pankaj Sharma C/o V. N. Sekhari,
26/104 Birhana Road, Kanpur.

AND

General Manager (Operation),
State Bank of Bikaner & Jaipur,
Central Office, Tilak Marg,
Jaipur.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/168/IR(B-3) dt. 29-9-1989, has referred the following dispute for adjudication to this Tribunal :—

Whether the management of State Bank of Bikaner & Jaipur was justified in terminating the services of Sri Pankaj Sharma w.e.f. 21-5-88 in violation of section 25 G&H of I.D. Act. If not to what relief the workman is entitled?

2. The concerned workman Pankaj Sharma in his claim statement has alleged that he was engaged as a peon from 23-10-86 upto 21-5-88 in broken periods. Giving details he had alleged that from 23-10-86 to 10-1-87 he had worked for 80 days, from 15-6-87 to 2-9-87 he had worked for 80 days, from 6-1-88 to 20-1-88 he had worked for 15 days and from 21-3-88 to 21-5-88 he had worked for 62 days. It is further alleged that he was working on a permanent post at Belanganj Branch of the opposite party. By adopting unfair labour practice he was not regularised. Instead he was illegally removed from service. As junior to him at that time were still working it is in utter breach of section 25G of I.D. Act. Further when new hands were recruited he was not given opportunity.

3. The opposite party has filed reply in which it is alleged that the concerned workman was not engaged on any regular post. Instead he was engaged from time to time according to exigencies of work. It is denied that any junior to the concerned workman was retained or that any fresh hand at this branch had been engaged. Section 25F of I.D. Act is not applicable as the concerned workman has not completed 240 days in a calendar year preceding the date of his retrenchment.

4. In the rejoinder nothing new has been alleged.

5. It is evident from the narration of fact that from 1986 upto the date of termination he had not completed 240 days in a calendar year. Hence provisions of section 25F of I.D. Act are not attracted at all.

6. The concerned workman Pankaj Sharma has examined himself but at no place he had stated that junior to him were retained in service. Even the name of such junior has not been given in the claim statement. Hence the question of

breach of section 25G is decided against the concerned workman, for want of proof.

7. In the claim statement although it has been alleged that there has been breach of section 25H of I.D. Act but the name of persons who were engaged were not given. Yet for the first time the concerned workman in his cross examination has stated that one Rameshwar was engaged. In my opinion, it is vague. The ground ought to have been taken in his claim statement to give opportunity to the management bank to admit or deny this fact. In its absence this evidence appears to be after thought and accordingly is not accepted. Hence my finding in this regard is that there has been no breach of section 25H of I.D. Act.

8. From the above discussion it is evident that none of the grounds on which the concerned workman had assailed his termination have been accepted. As such my award is that termination of the concerned workman is justified and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 7 जनवरी, 1997

का.आ. 206:- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ बीकानेर एण्ड जयपुर, नई दिल्ली के प्रबन्धतंत्र के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-1-97 को प्राप्त हुआ था।

[संख्या एल-12012/23/92-आई.आर. (बी-3)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 7th January, 1997

S.O. 206.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur New Delhi and their workman, which was received by the Central Government on the 2-1-97.

[No. L-12012/23/92-IR(B-3)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUS-
TRIAL-CUM-LABOUR COURT, PANDU
NAGAR, KANPUR

Industrial Dispute No. 72 of 1992

In the matter of dispute between :

Sanjay Kumar Mishra

C/o K. N. Soni

118/78 Kaushalpur

Kanpur.

AND

Regional Manager

State Bank of Bikaner & Jaipur

42 Community Centre

P. B. No. 7, Naraina Phase No. 1,

New Delhi.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-12012/23/92-IR(B-3) dated 20-5-92, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of State Bank of Bikaner & Jaipur Kanpur in terminating the services of Sri Sanjay Kumar Misra w.e.f. 8-12-86 was justified? If not to what relief the concerned workman is entitled to?

2. The concerned workman Sanjay Kumar Mishra has alleged that initially he was engaged as a labour on 15-11-85 by the opp. party State Bank of Bikaner & Jaipur at its Birhana Road Branch, Kanpur. Later on w.e.f. 21-7-86 he was appointed as a peon. He worked there upto 9-10-86. In this way he had continuously worked for 328 days. Hence his services could not be retrenched without complying with the provisions of sec. 25F of I.D. Act. As his services were determined in breach of above mentioned provisions the same is bad in law. Besides there has been breach of section 25G & H of I.D. Act.

3. The opposite party has filed reply in which it is denied that the concerned workman was engaged as labour at all. It is admitted that the concerned workman had worked there from 21-7-86 upto 9-10-86. As he had not completed 240 days he is not entitled for benefit of section 25 FG&H of I.D. Act.

4. In the rejoinder the above mentioned facts have been denied.

5. The first point which falls for determination is as to whether the concerned workman has worked from 15-11-85 upto 20-7-86 as a labour.

On this issue here is evidence of the concerned workman Sanjay Kumar Mishra W.W. 1 Rajendra Chandra Som branch manager of the opposite party has denied it. I am inclined to believe the version of the concerned workman as the opposite party had not filed papers which were summoned by the concerned workman and for which orders were passed on 4-10-95. Hence, it is held that concerned workman had worked from 15-11-85 to 20-7-86 as labour.

6. It is admitted to both the parties that concerned workman had worked from 21-7-86 upto 9-10-86. It has been submitted by the authorised representative of the concerned workman that number of days for which the concerned workman has worked as labour should be included. This contention has been refuted by the authorised representative of the opposite party bank. I am inclined to agree with the contention of authorised representative of the bank as nature of employment as labour has got no nexus with that of peon. As such the period for which the

concerned workman has worked as labour should not be counted for determining as to whether the concerned workman has completed 240 days in a calendar year. In its absence it is held that the concerned workman has not completed 240 days in a year as such he is not entitled for benefit of section 25F of I.D. Act. There is no evidence worth the name to prove that there had been breach of provision of sec.(s) 25G & H of I.D. Act. Hence this issue is decided against the concerned workman.

7. In view of above discussion my award is that termination of the concerned workman is not bad and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

